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THE SPEECH OF DEMOSTHENES

AGAINST THE LAW OF LEPTINES.

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ΔΗΜΟΣΘΕΝΟΥΣ ΠΡΟΣ ΛΕΠΤΙΝΗΝ

THE SPEECH OF DEMOSTHENES

AGAINST THE LAW OF LEPTINES.

A REVISED TEXT
WITH AN INTRODUCTION
CRITICAL AND EXPLANATORY NOTES
AND AN AUTOTYPE FACSIMILE FROM THE PARIS MS

BY

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AND PUBLIC ORATOR IN THE UNIVERSITY OF CAMBRIDGE.

Coin of Panticapaeum. (*See note on page* 37.)

EDITED FOR THE SYNDICS OF THE UNIVERSITY PRESS.

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PREFACE.

SIX and twenty years ago, in the first term of my residence in Cambridge, I attended a course of College lectures on the speech of Demosthenes against the law of Leptines. Of that early study of a subject, which has since engaged much of my attention, almost my only memento is a list recording in chronological order all the historical events mentioned in the course of the speech. But I was permanently impressed with the importance of the speech, as the first delivered by Demosthenes himself in a forensic cause of public interest, and with its peculiar fitness as an introduction to the study of his speeches in general, whether toward the close of school-life or in the early years of a University course. During the last twenty years I have, as a College lecturer, repeatedly lectured on the same subject; and I have recently devoted part of my vacations to the preparation of the present work.

In the Introduction, a prominent place has necessarily been assigned to matters of Greek antiquities immediately connected with the speech. In this department I have been specially indebted to the elaborate dissertation of Thumser, *de civium Atheniensium muneribus eorumque immunitate* (1880), and to the great work of Boeckh, on the *Public Economy of Athens*, which has been recently republished in 1886, as a fitting memorial of the hundredth anniversary of his birth.

The Text is to some extent founded on Dindorf's edition as revised by Blass for the Teubner series in 1888; but I have endeavoured to use my own judgement in deciding between conflicting readings, and have frequently refrained from following that eminent authority in the changes which he has introduced into the traditional text as

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preserved in our manuscripts. These changes are due mainly to two causes:—(1) the rigid application of the law of composition discovered by the critic himself, in accordance with which Demosthenes in general avoids the collocation of more than two short syllables in consecutive words,—a law which gives his style a steadier and more stately march than that attained by the freer and less fettered style of Plato[1]; and (2) the weight assigned to quotations from, and reminiscences of, Demosthenes in the Greek rhetoricians of later times. All these changes are, however, duly recorded in the critical notes. I have also noticed every essential point in which the texts of Bekker, Dindorf, Westermann, Voemel, Weil and Blass differ from one another (with occasional reference to the texts of Benseler and of the Zürich editors, Baiter and Sauppe), adding in each case the readings of the more important manuscripts. Where all these editors are agreed, I have seldom thought it worth while to mention the manuscript readings. The evidence of contemporaneous inscriptions has led me to prefer ἀποτεῖσαι, δωρειά, λῃτουργία and Ποτείδαια to the forms which have been made familiar to us by the copyists of a later age. Similar evidence, as well as the authority of the Paris MS, has warranted my often allowing the final νῦ to stand, even when the following word begins with a consonant[2]. In the language of the critical and explanatory notes I have followed the example set by Shilleto in his well-known edition of the *De Falsa Legatione*, in the preface of which he records his 'deliberate persuasion that explanatory notes ought to be written in one's own language, critical in the Latin'. It has thus been easy to incorporate with a Latin context passages written in the language common to scholars of various nationalities, whether in the work of German editors, such as Voemel and Blass; or in the *Adversaria* of Dobree, formerly Professor of Greek in the University of Cambridge; or in the *Miscellanea Critica* of Cobet, the great scholar of Leyden, whose death has lately been lamented in England no less than in Holland, and whose instructive and incisive criticisms on Greek are always expressed in a Latin form which presents an almost inimitable model of clearness and conciseness.

[1] Introd. to Cicero's *Orator*, p. xxviii; Blass, *Attische Beredsamkeit*, III i 99—104.

[2] Voemel, *Demosthenis Contiones*, 1856, *Prolegomena Grammatica*, § 16, *de* N *et* Σ *adductis litteris*. Meisterhans, *Grammatik der Attischen Inschriften*, ed. 1888, § 42.

The English commentary in this edition owes much to the explanatory notes written in other languages, in Latin, German and French, by F. A. Wolf, and Westermann and Weil respectively. Apart from notes on ordinary points of scholarship, much attention has here been deliberately devoted to Greek law and history and antiquities, and special prominence has been duly given to illustrations from Greek inscriptions. It is in this last respect that the progress of discovery places editors and students of Demosthenes in the present day at an advantage over those of the times of Wolf, the founder and 'true author of modern classical culture'[1], whose important edition of the present speech was published exactly one hundred years ago; and it is just because the interpretation of our speech is so much concerned with questions of Greek antiquities that this particular kind of illustration is of peculiar value. In the course of an interesting excursus on Greek Inscriptions of the times of Thucydides, Professor Jowett has justly remarked that 'the additional facts obtained from inscriptions throw greater light upon Greek antiquities than upon Greek history'; and, while warning his readers against attributing an undue importance to this department of study, he candidly confesses that 'the investigation of them, especially on the spot, is full of interest independently of the result. To be busy on Greek soil, under the light of the blue heaven, amid the scenes of ancient glory, in reading inscriptions, or putting together fragments of stone or marble, has a charm of another kind than that which is to be found in the language of ancient authors'[2]. Curiously enough, it was an English scholar's discovery of an inscription on the southern wall of the Acropolis that first led to the belief that Demosthenes failed in the object of his speech[3]; and if we are ever to obtain definite proof that he succeeded in that object, we must wait for the discovery of an inscription recording the grant of exemption from the public burdens between B.C. 355, the date of the speech, and B.C. 309, the year in which personal service on the part of a *choregos* acting on his own behalf was superseded by another system[4]. Such an inscription would indeed be welcomed by the student of Demosthenes, who, owing to the imperfect evidence hitherto produced, must be content with the assurance that the present speech, like the investigation of Greek inscriptions, is 'full of interest, independently of the result'.

[1] Pattison's *Essays*, i 338.

[2] Jowett's *Thucydides*, vol. II pp. xxi and lxxxiv.

[3] *Introd.* p. xxx.

[4] *Ib.* p. vii.

As compared with scholars a hundred years ago, modern students have a further advantage in a better knowledge of the relative value of the manuscripts of Demosthenes, and of the preeminent importance of the Paris manuscript. My study of its readings, in the early part of 1886, led me to suggest to the Palaeographical Society the desirability of including a specimen page in their series of facsimiles, and I am indebted to the kindness of Mr E. M. Thompson, Principal Librarian of the British Museum, for allowing the plate to be used in the present edition.

Among others who have been good enough to help me in my work, I may mention the name of one who formerly attended my lectures on this subject, and has recently devoted the utmost pains to revising my proof-sheets,—Mr H. J. Spenser, Foundation Scholar of St John's College.

In connexion with that College, it may be remarked in conclusion, that this is not the first edition of the speech which has been attempted by a member of its foundation. Its first modern editor was John Taylor, Fellow of the College, and successively Librarian and Registrary of the University; and his edition, in the beautiful type cast in Holland under the orders of Bentley, had (like the present) the advantage of being printed at the University Press. The scrupulous care, which the officials of the Press have bestowed on the production of the present volume, may perhaps warrant my gratefully applying to the outward form of its publication the language used by Taylor, exactly a hundred and fifty years ago, in looking back on the pains that had been spent on a work of far larger compass, his edition of Lysias:—

Ut aliqua saltem spes superesse videatur, vel Chartae nitorem, vel Typorum elegantiam, vel Typothetae denique meamque operosam diligentiam exemplaria nostra a fatali oblivione vindicaturam.

J. E. SANDYS.

CAMBRIDGE,
December, 1889.

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INTRODUCTION.

§ 1. *The Social War and the law of Leptines.*

In the year 357 B.C. the naval confederacy established by Athens twenty years before,—a confederacy which, owing to the energy of Chabrias, of Timotheus son of Conon, and of the orator Callistratus, had been ultimately joined by as many as seventy cities,—was shaken for the first time by the secession of Thebes. This important defection was shortly followed by the revolt of Chios, which gave the signal for the outbreak of the Social War (357—355). Athens was unprepared; but, by great efforts on the part of her patriotic citizens, a naval force was got together and a fleet under the command of Chares despatched against Chios. When the ships forced their way into the harbour, between the two projecting moles that even in their ruins may still be traced by the modern traveller[1], the foremost vessel was that of Chabrias. Thirty-five years had passed away since that gallant soldier had succeeded Iphicrates in the command of the Athenian forces at Corinth (392). He had afterwards been called to the aid of Evagoras against Persia (388), and of Thebes against Agesilaus (378); had defeated the Lacedaemonian fleet off Naxos (376), had commanded the navy of Tachos king of Egypt in his rebellion against Artaxerxes II (361), and had recently been at the head of the Athenian forces in Thrace (358). He was now serving as an ordinary trierarch under the command of Chares. Advancing boldly into the centre of the harbour, he became separated from the ships of his friends and entangled with those of the enemy; and, after a desperate struggle, died the death of a hero on the deck of his trireme. But the heroism of a single citizen, who thus closed by an imprudent exploit a career in which he had won the fame of being 'the safest of all generals' (*Lept.* 82), could not prevent the attack itself from ending in failure; and a later engagement in the narrow channel between Chios and the coast of Asia was equally unsuccessful.

Peace was at last concluded with the confederates in the summer of 355; but meanwhile the cost of the war had exhausted the treasury

[1] H. F. Tozer, in the *Academy*, 4 Sept. 1886, p. 152. *The Islands of the Aegean*, 1890, p. 144.

of Athens, more than 1000 talents having been spent to no purpose on mercenary troops alone (Isocr. *Areop.* 9). The way was thus prepared for various proposals, which aimed at replenishing the public treasury without inflicting inconvenience on individual citizens. About this time the theoretical politician Isocrates published a pamphlet *on the Peace*, counselling Athens to surrender her maritime supremacy, which, he contended, was the source of all her troubles. Xenophon, again, in a short treatise on the finances of Athens, recommended peace at any price as the best remedy for her present distress, thus foreshadowing the policy which was soon to be associated with the name of Eubulus. The financial difficulties of Athens also engaged the attention of politicians of a more practical type. Thus Aristophon, the most influential statesman of the time, proposed a decree for the appointment of an extraordinary commission for ensuring the payment of all debts due to the state (*Timocr.* 11, cf. *Androt.* 49). Aristophon and Leodamas were associated in another proposal with a popular orator named Leptines. He may fairly be identified with the person of that name who in 369, on the arrival of the embassy from Sparta, when she found herself menaced by Epaminondas after her defeat at Leuctra, had appealed to Athens on behalf of Sparta by declaring 'that he would not let the Athenians look on when Greece lost one of her two eyes'—Athens and Sparta[1]. He is possibly the same as the Leptines of the deme of Κοίλη who is mentioned in the speech against Androtion, § 60.

His proposal was to the following effect: 'in order that the public burdens (λῃτουργίαι) may fall on those who can best afford to bear them, be it enacted that no one, either of the citizens or the denizens or the aliens, be exempt from such burdens, saving the descendants of Harmodius and Aristogeiton[2], and that henceforth it be not lawful for the people to grant to any one exemption from them[3]; and, if any one ask for such exemption (whether for himself or for another), let him be disfranchised and his property confiscated: and let him be proceeded against by information and by summary arrest; and, if he be convicted, let him be amenable to the law which is in force in the case of any one holding office while indebted to the public treasury[4]'.

§ 2. *On the public burdens* (λῃτουργίαι).

Before passing to the consideration of the public burdens themselves, it may be well to pause for a few moments over the history of the term by which they were designated.

[1] Ar. *Rhet.* iii 10 Λεπτίνης περὶ Λακεδαιμονίων, οὐκ ἐᾶν περιδεῖν τὴν Ἑλλάδα ἑτερόφθαλμον γενομένην.

[2] §§ 29, 127, 160.

[3] §§ 2, 55, 160.

[4] § 156.

The noun λειτουργία, with the verb λειτουργεῖν, is common in Greek of the best times; but the corresponding adjective λειτουργός, the existence of which is implied in the verb, is not actually found in any Attic writer (note on § 19). The first part of these words contains the adjective λῆτος or λεῖτος (from λαός, λεώς), which is said to be an ancient synonym for δημόσιος but does not occur in Greek literature, although we learn from Herodotus (vii 197) that the Achaeans called a town-hall, or πρυτανήιον, by the name λήιτον. Again, the lexicographer Hesychius explains λητίη and λῆτη, as synonymous with ἱέρεια, 'a public priestess'. In point of etymology, λειτουργός, λειτουργεῖν and λειτουργία may be compared with δημιουργὸς and its immediate derivatives. As regards the spelling of the word, λητουργεῖν and λητουργὸς are mentioned as Attic forms by the ancient grammarians[1]; and the forms in λη-, although unrecognised in our comparatively modern MSS, may still be seen in inscriptions of the time of Demosthenes[2] and have on this account been adopted by recent editors. It is in inscriptions of the next and later centuries that we find the form in λει-[3]. In this, as in other words, such as λῃστὴς and the names of the Attic tribes Αἰγῆς, Ἐρεχθῆς and Οἰνῆς, we notice in middle and new Attic the transition from the diphthong ηι to the form in ει, which we cannot trace with certainty in Attic Greek before the year of Eucleides (B.C. 403), as in that earlier time the same symbol stood for η as well as for ε.

As regards the meaning of the term, we are here concerned solely with the technical sense in which it was used at Athens where it was applied to the public burdens which wealthy men were especially called upon to bear on behalf of the state. It is in the *Politics* of Aristotle, iv (vii) 10 § 11, λ. πρὸς τοὺς θεούς, that we find the first trace of that sacred application of the word which afterwards became common in Hellenistic Greek and in early Christian literature. From the *Oeconomics*, ascribed to the same writer, we learn that λητουργίαι, in the ordinary sense of the term, were established as early as the time of the Peisistratidae[4].

The public burdens mentioned in the law proposed by Leptines are the ἐγκύκλιοι λητουργίαι, the annual or ordinary 'liturgies' of a peaceful character, which were never intermitted, but passed in regular rotation

[1] Ammonius 89 (fl. A.D. 390): Moeris 202 (cent. 2) λητουργεῖν διὰ τοῦ η̄ Ἀττικοί, διὰ δὲ τῆς εῑ διφθόγγου Ἕλληνες· λήϊτον γὰρ τὸ δημόσιον; and in the λέξεις ῥητορικαί, Bekker's *Anecdota* 277, οἱ παλαιοὶ Ἀττικοὶ διὰ τοῦ η ἔλεγον λητουργεῖν.

[2] In 386 B.C. [λ]ητουργιῶν, CIA ii add. 554 *b* 14; in the time of Demosthenes, τὰ[ς δ]λλας λητ[ουργ]ίας καλῶς λητου[ργ]εῖ ..., ib. 557, 5; in 340—332 B.C., λητού[ργ]ησαν, ib. 172, 4. Meisterhans, *Grammatik d. Attischen Inschriften*, ed. 1888, p. 29, note 174.

[3] About 282 B.C., CIA 316, 11, λειτου[ρ]γοῦντες; about 270 B.C., ib. 331, 16 λειτουργίας λελειτούργηκεν; after middle of cent. 2 (ib. 454, 21); early in cent. 1 (467, 28); after 48 B.C. (481, 23 and 55).

[4] ii p. 1347 *a* 12 (of Hippias) ὅσοι τριηραρχεῖν ἢ φυλαρχεῖν ἢ χορηγεῖν ἢ τινα εἰς ἑτέραν λειτουργίαν τοιαύτην ἥμελλον δαπανᾶν, τίμημα τάξας μέτριον.

through the ten tribes, as contrasted with the extraordinary burdens for the purposes of war, such as the τριηραρχία or superintendence of the equipment of a trireme, and according to some writers the εἰσφορά, or war-tax. It must be noticed, however, that so far from the τριηραρχία being confined to times of war, trierarchs were annually elected, even in times of peace, and that the principle of 'rotation' was applied to these as well as to others who undertook the 'liturgies' more directly connected with peaceful purposes. Thus the war-tax alone can be strictly regarded as an extraordinary service; and even this is excluded by Boeckh[1] from the list of 'services immediately rendered to the state'. He observes that ancient writers, when they aimed at accuracy of language, distinguished between the λειτουργίαι and the εἰσφορά[2], and that orphans were exempted from all λειτουργίαι but not from the war-tax.

It has generally been found convenient to classify the 'liturgies' under the two divisions of ordinary and extraordinary, and to include the trierarchy as well as the war-tax in the latter; but as the trierarchy was in a certain sense 'ordinary', in so far as trierarchs were elected every year, it is more accurate to divide them into those connected with the pursuits of peace and those connected with preparations for war.

To the former belonged the public services designated by the terms χορηγία, γυμνασιαρχία, ἑστίασις and ἀρχιθεωρία. Of these, the first was the most important; so much so, that the term is sometimes used in a general sense, as synonymous with λῃτουργία, and χορηγὸς is thus used instead of λῃτουργός (§ 19). In its narrower and more special meaning, χορηγία is applied to the office of χορηγός, or 'choral steward'. It was the duty of this officer to bear the expense of providing the chorus in public representations, whether in the theatre, in connexion with tragic, satyric or comic dances (χορηγεῖν τραγῳδοῖς, κωμῳδοῖς); or elsewhere, as in lyric choruses of men or boys, in pyrrhic or cyclic dances, and in performances on the flute (χορηγεῖν ἀνδράσιν or ἀνδρικοῖς χοροῖς, παισὶν or παιδικοῖς χοροῖς, πυρριχισταῖς, κυκλίῳ χορῷ, αὐλητοῖς ἀνδράσιν). The ceremonies at which a *choregus* was required were those of the greater Dionysia, the Lenaea, the Thargelia, the greater Panathenaea and the less, and probably also the festivals in honour of Prometheus, Hephaestus and Athene Σκιράς[3]. It was also his duty to see that the

[1] *Public Economy of Athens*, III xxi.

[2] [Dem.] 47 § 54; Isocr. 8 § 128; 15 § 145.

[3] Xenophon, *Rep. Ath.* iii 4 χορηγεῖν εἰς Διονύσια καὶ Θαργήλια καὶ Παναθήναια καὶ Προμήθεια καὶ Ἡφαίστεια. Here χορηγεῖν is used in its narrow sense in connexion with the Dionysia and Thargelia; but inasmuch as the λῃτουργία known as γυμνασιαρχία was connected with the festivals of Prometheus and Hephaestus, it is possible that with regard

chorus was duly instructed by a teacher (χοροδιδάσκαλος), and to pay him for his services. The expense involved in the χορηγία was heavy in itself, and it was made all the heavier by the emulation inspired by the prizes awarded for success in the public competitions between the various choruses. Men of wealth made it the means of winning their way to power among the people. This was particularly true in the case of the wealthy Nicias[1]; and it was also one of the many forms of extravagance which marked the career of Alcibiades[2]. As regards the outlay involved, we learn from a speech of Lysias that, within four or five years, one Aristophanes spent in all 5000 drachmae on two χορηγίαι for tragedies[3]. The cost of the chorus varied according to the nature of the performance. Thus a chorus of flute-players, in so far as it consisted of persons of highly trained accomplishments in music, cost more than a tragic chorus, and the latter more than a chorus in a comedy[4].

The comparative cheapness of the comic chorus may reasonably be ascribed in part to the greater splendour of the dresses used in representing a tragedy. But it may be doubted whether the tragic chorus was always more costly than the comic. So far as we can draw any conclusions from modern revivals of ancient plays, recent experience in Cambridge proves that it costs far more to give a complete equipment to a chorus of Birds than to array a chorus of Furies, or of Theban Elders, or of Salaminian Sailors. Such conclusions, however, may possibly be misleading, and we are on safer ground if we are content to accept the evidence that we find on this point in the twenty-first speech of Lysias, where the speaker gives an elaborate statement of the sums expended on various λητουργίαι between 411 and 403 B.C. The items (expressed in talents and minae) are as follows:

to these latter, χορηγεῖν is used in its wider sense instead of λητουργεῖν. The same festivals are mentioned together (shortly after B.C. 403) in CIA ii 553 [Θ]εο[ί. Ἔδ]οξεν τῇ Πανδιονίδι φυλῇ. Καλλικράτης εἶπε[ν· ἐπ]αινέσαι Νικίαν Ἐπιγένους Κυδαθηναιᾶ ἀνδραγαθίας ἕνεκα τῆς εἰς τὴν φυλήν, ὅτι εὖ καὶ προθύμως ἐχορήγησεν τοῖς παισὶ καὶ ἐνίκα Διονύσια καὶ Θαργήλια ἀνδράσιν, καὶ στεφανῶσαι αὐτόν· ἀναγράψαι δὲ τόδε τὸ ψήφισμα εἰστήλῃ λιθίνῃ ἐμ Π[αν]δίονος τοὺς ἐπιμελητάς. ἀναγράψαι δὲ καὶ εἴ τις ἄλλος νενίκηκεν ἀπ' Εὐκλείδου ἄρχοντος παισὶν ἢ ἀνδράσιν Διονύσια ἢ Θαργήλια ἢ Προμήθια ἢ Ἡφαίστια, ἀναγράφειν δὲ καὶ τὸ λοιπὸν ἐάν τις τούτων τι νικήσῃ τοὺς ἐπιμελητὰς ἐφ' ὧν νικήσῃ ἐν τῇ αὐτῇ στήλῃ. Here χορηγεῖν is applied to the Dionysia and Thargelia, but not to the festivals of Prometheus and Hephaestus. Cf. Mommsen's *Heortologie* p. 311, n. and for Athene Σκιράς, *ib.* 287; Athenaeus xi 92 p. 495 τρέχουσι δ' (οἱ ἔφηβοι) ἐκ τοῦ ἱεροῦ τοῦ Διονύσου μέχρι τοῦ τῆς Σκιράδος Ἀθηνᾶς ἱεροῦ, καὶ ὁ νικήσας λαμβάνει κύλικα τὴν λεγομένην πενταπλόαν, καὶ κωμάζει μετὰ χοροῦ. Thumser, *de civium Atheniensium muneribus eorumque immunitate*, p. 83.

[1] Plut. *Nic.* 3 χορηγίαις ἀνελάμβανε καὶ γυμνασιαρχίαις ἑτέραις τε τοιαύταις φιλοτιμίαις τὸν δῆμον.

[2] Isocr. *de bigis* 35 περὶ τῶν ἐνθάδε χορηγιῶν καὶ γυμνασιαρχιῶν καὶ τριηραρχιῶν αἰσχύνομαι λέγειν.

[3] Lys. 19 §§ 42, 19.

[4] Dem. 21 § 156.

B.C. 411	tragic chorus	30^{m}
	chorus of men for the Thargelia	20^{m}
410	pyrrhicists for the greater Panathenaea	8^{m}
	chorus of men &c. for the Dionysia	50^{m}
409	cyclic chorus	3^{m}
411—405	trierarchy	6^{t}
	war-tax (two payments)	70^{m}
405	gymnasiarchia	12^{m}
	chorus of boys	15^{m}_{+}
403	comic chorus	16^{m}
	boy pyrrhicists, for the lesser Panathenaea	7^{m}
	boat-race	15^{m}
	religious processions &c.	30^{m}_{+}
	total	$10^{t}\ 36^{m}$[1]

It has already been observed by Boeckh that the liberality displayed by the person in question is clearly exceptional. He need not have performed any of these services during the year after coming of age, or for several years together, or at the same time as the trierarchy; and, again, there was no necessity for his undertaking the trierarchy itself more frequently than once in three years instead of seven years in succession[2].

The above items end with the restoration of the democracy in the archonship of Eucleides (403). After that year, owing partly, at least, to a decline in the prosperity of Athens, we have fewer instances of such liberality of expenditure. Thus, in 389 there was actually a failure of χορηγοὶ for the comic chorus. It is true that Demosthenes in his speech against the law of Leptines (§ 22) is confident that there will be no want of χορηγοὶ in the future. But this expectation was not completely realised; for, in his own speech against Meidias (§ 13), we learn that for several years no χορηγὸς had been furnished by the tribe Pandionis, when, on a dispute arising between the archon and the officials of the tribe, Demosthenes himself volunteered to undertake the duty.

The members of the tribe, acting through the ἐπιμεληταὶ τῆς φυλῆς (*Meidias* § 13), decided who should undertake the χορηγία in each instance; and in so doing they were guided by a prescribed order of rotation. Of the λητουργίαι usually performed by citizens it was apparently the χορηγία alone that was ever undertaken by resident aliens. There is no proof, nor indeed any reasonable probability, that aliens took part in the λητουργίαι which we have still to mention, such as the γυμνασιαρχία

[1] The intrinsic value of the money spent is equivalent to about £2550, but its purchasing power expressed in modern coinage would be far higher.

[2] *Public Economy of Athens*, III xxii.

or the *τριηραρχία*. And we cannot draw any such inference from the passage where Lysias, who was a resident alien, describes himself and his father and brother as *πάσας τὰς χορηγίας χορηγήσαντες* [1].

At first each chorus was assigned to a single *χορηγός*; but when in process of time (as already indicated) there was an occasional failure of *χορηγοί*, a concession was made by which the expense might be shared by two persons. This change, according to Aristotle, as quoted in a *scholium* on Aristophanes, *Ranae* 406, began in the archonship of Kallias, 406 B.C.[2]. Occasionally, a single *χορηγὸς* served for two tribes simultaneously[3]. The latest known instance of a *χορηγία* undertaken by an individual citizen is recorded on the choragic monument of Thrasyllus, B.C. 320[4]. Ultimately the expense was borne by the state itself. There is proof of this in an inscription assigned to B.C. 307, the earliest of the series[5]; also in one later than B.C. 292[6], and lastly in one belonging to B.C. 271[7]. This innovation came in under the rule of Demetrius Phalereus who was the *archon eponymus* of B.C. 309—8 and presided at the public celebration of the Dionysia in that year[8].

Meanwhile, the terms *χορηγός*, *χορηγεῖν* and *χορηγία*, from their constant use in the original sense of a special form of public generosity, had already metaphorically acquired a more general application to any kind of liberal provision whatsoever. Thus it is that *χορηγὸς* is used by Demosthenes of 'one who supplies the cost for any purpose', as when Philip is called the *χορηγὸς* of his partisans in Athens[9]; *χορηγεῖν* and *χορηγία* are applied by Aristotle to generous equipment of any kind[10], while, in Polybius, *χορηγία* passes from its primary application to the peaceful contests of the drama into a term descriptive of 'supplies for war'[11]. And, lastly, when the choral competitions of Athens had passed away, the metaphorical sense of the word acquired a new life in the epistles of St Paul[12] and the prayer of St Chrysostom[13].

[1] 12 § 20. Cf. H. Schenkl, *Wiener Studien* ii 190.

[2] Boeckh, i p. 538 note *c*, ed. Fränkel.

[3] Antiphon 6 § 11, Schol. Dem. 465, 27, *Lept.* § 28, and inscriptions quoted by Thumser, p. 87, note 4, since published in Dittenberger's *Sylloge* no. 411 (B.C. 365–), 412 (B.C. 364–), 413, 414 (B.C. 344–). In the second of these, the tribes Leontis and Aegeis have a single choregus: in the other three, the tribes Pandionis and Acamantis.

[4] Stuart's *Ant. of Athens* ii plate 38; CIA ii 1247; Dittenberger, no. 423.

[5] *ὁ δῆμος ἐχορήγει.* Dittenberger, no. 417 (CIA ii 1289). Boeckh, ed. Fränkel, note 765.

[6] Dittenberger, no. 418.

[7] CIA 1292, 1293.

[8] Köhler in CIA ii 1289.

For further details respecting the *choregia*, see the Dictionaries of Antiquities, esp. Caillemer's art. in Daremberg and Saglio: also Boeckh III xxii, and Thumser, pp. 83—88, Haigh, *Attic Theatre*, pp. 71—75. Cf. CIA 1234—1299.

[9] 9 § 60 and 19 § 216; cf. 40 § 51 and Aeschin. 3 § 240 *σὺ δὲ πλουτεῖς καὶ ταῖς ἡδοναῖς ταῖς σαυτοῦ χορηγεῖς* ('minister to').

[10] *Eth. N.* i 10 § 15 *κεχορηγημένος τοῖς ἐκτὸς ἀγαθοῖς.* x 8 § 4 *ἡ ἐκτὸς χορηγία.*

[11] i 18 § 9 etc.

[12] *ἐπιχορηγεῖν* 2 Cor. ix 10; Gal. iii 3; Col. ii 19. *ἐπιχορηγία* Phil. i 19; Eph. iv 16.

[13] *ἐπιχορηγῶν.*

The second kind of λητουργία is called the γυμνασιαρχία. There is some ambiguity in the term, and a corresponding confusion has arisen with regard to the duties which it implies. Thus, in the latest edition of Liddell and Scott, a γυμνασίαρχος is defined as 'a performer of one of the liturgies or public duties at Athens, who superintended the palaestrae, and paid the training-masters, Andoc. 17, 20, Dem. 940, 13 etc.' It is true that, in the time of the Roman emperors, the γυμνασιαρχία at Athens was assigned partly to annual, partly to 12 or 13 monthly, gymnasiarchs who had the superintendence of the gymnastic schools. But even in the Imperial period 'the Athenian gymnasiarchs were of two distinct kinds and both classes of gymnasiarchs held not an ἀρχή but a λειτουργία. One class of the gymnasiarchs were directly descended from the ancient gymnasiarchy, and were 12 in number, one from each tribe. These may be termed public gymnasiarchs (CIG 267, 396). On the other hand, upon the inscriptions relating to the Ephebi we meet with frequent mention of gymnasiarchs evidently of a different character. In short, it appears that the title, quite consistently with the ancient meaning of γυμνασιαρχεῖν, was in Imperial times applied also to those Ephebi who contributed of their own means towards the expenses of their less wealthy fellow-scholars in the gymnasium'[1]. But there is no proof that γυμνασιαρχία implied superintendence of the *gymnasia* in the times of Pericles and Demosthenes. A distinction must therefore be drawn between the form of γυμνασιαρχία which probably existed only in later times, and the ancient liturgic γυμνασιαρχία with which alone we are now concerned. This is an institution connected, not with the public *gymnasia*, but with the public games, especially those in the festivals of Prometheus, Hephaestus and Pan, and also in the Panathenaea[2], the Lenaea, perhaps also in the Thesea, and in certain funeral ceremonies. In all the extant passages, whether in ancient authors or in inscriptions, where the liturgic γυμνασιαρχία is mentioned with any preciseness of detail, we find it associated with the torch-race[3], and as the torch-race formed part of all the above festivals it has been inferred that it was the maintenance of these races that was one of the regular λητουργίαι.

Such races were particularly appropriate to the festivals held in commemoration of the heaven-sent gifts of light and fire, such as the festivals of Hephaestus, Prometheus and Pan. As the games in question

[1] *Greek Inscr. in the British Museum* i 40 (CIG 252) Γοργίας Λυκίσκου γυμνασιαρχήσας ἀνέθηκε (probably an Ephebos); *ib.* 41 (CIG 257) ὁ δεῖνα λ]αμπάδι νικήσας, γυμνασιαρχῶν [ἀνέθηκεν (certainly an Ephebos).

[2] CIA ii 1229 (B.C. 346–) ['A]καμα[ντ]ὶς ἐνίκα λαμπάδι Παναθήναια τὰ μεγά[λ]α ἐπ' Ἀρχίου ἄρχοντος. Ξενοκλ[ῆ]ς ἐγυμνασιάρχει. The authorities for the other festivals are given by Thumser *l.c.*, p. 88.

[3] e.g. CIA ii 606 a decree in honour of a γυμνασίαρχος, reciting the names of certain λαμπαδηφόροι (about 350 B.C.).

naturally took place at night, it would be necessary to light up the scene of the contest; and it has been suggested that the cost of this illumination probably fell on the gymnasiarch. The god of fire and the forge was also worshipped at the family festival of the Apaturia, about the end of October, 'by men splendidly dressed, holding torches in their hands, which they lighted at the sacred hearth, as an expression of gratitude for the use of fire'[1]. At the festival in honour of Prometheus, the scene of the race was the outer Cerameicus, described by Thucydides (ii 34 § 2) as the fairest suburb of Athens.

It is the torch-race in the Prometheia, that is the theme of the fine allusion in Shelley, where the Earth tells Prometheus of his far-off temple:

> 'It is deserted now, but once it bore
> Thy name, Prometheus; there the emulous youths
> Bore to thy honour thro' the divine gloom
> The lamp that was thine emblem; even as those
> Who bear the untransmitted torch of hope
> Into the grave, across the night of life,
> As thou hast borne it most triumphantly
> To this far goal of Time'. *Prometheus Unbound*, III iii 167.

Just as in the case of the other 'liturgies', one gymnasiarch was appointed by every tribe for each festival. It is, at any rate, so stated in the second argument to the *Meidias*. In the times with which we are concerned, his duties were solely connected with what may be called the athletic arrangements in the sacred games already enumerated. A scholiast assures us that for these festivals the gymnasiarch had to furnish the oil[2]: a modern critic, F. A. Wolf, conjectures that he also supplied the sand. But, without dwelling on these trivial details (which possibly only apply to the later form of γυμνασιαρχία), it is enough for us to know that, like the members of the chorus in their relation to the χορηγός, those who had to run in the races at these festivals were maintained, during the time of training, at the expense of the gymnasiarch. And it has been fairly inferred that, so long as he had to provide for them, he had also a certain disciplinary authority over them. Just as the χορηγὸς whose chorus won the prize in the theatre commemorated the victory by setting up a tripod, as in the case of the famous choragic monument of Lysicrates still standing at Athens; so the success of the gymnasiarch was usually celebrated by some similar memorial. We have inscriptions on these points belonging to the years 346[3] and 338 B.C.[4]

[1] Boeckh, III xxiii p. 603 Lamb.

[2] Schol. on p. 465, 28, γυμνασίαρχος δὲ ὁ παρέχων τοῦλαιον τοῖς γυμναζομένοις— γυμνάσιον γὰρ τὴν παλαίστραν ἐκάλουν—, καὶ κρατῆρας ἐπίμπλασαν τοῖς βουλομένοις δημοσίᾳ χρίεσθαι.

[3] CIA 1229 quoted above, p. viii, note 2.

[4] CIG 251 = CIA 1181.

The third variety of λητουργία is called the ἑστιασις, the feasting of the tribe. The expense of this was borne by a person selected from each tribe (ἑστιάτωρ). The entertainment was connected with the festivals of the tribes[1], which were 'introduced for sacred objects and for the maintenance of a friendly intercourse among the citizens of the same tribe', and in so far as social distinctions did not enter into consideration, such festivals were peculiarly 'appropriate to the spirit of a democracy'. The cost of the entertainment was small. It has been estimated that, assuming the number of guests in each tribe to be 2000 and the cost two obols a head, the total expense of such an entertainment would be nearly 700 drachmae[2]. Although it was only members of a single tribe that were present on such an occasion, the entertainment was under the sanction of the state and the person who bore the expense was deemed to have done a public service, just as much as if he had served in either of the 'liturgies' already mentioned[3].

Another form of λητουργία is the ἀρχιθεωρία, or superintendence of the sacred embassies sent to the panhellenic festivals at Olympia and elsewhere, or to the shrine of Delos or the oracles of Delphi and Dodona[4].

There are also certain minor services, such as those connected with the festal vessel sent once in five years to the temple on the foreland of Sunium[5], the races in the harbour of the Peiraeus, the contests of εὐανδρία in the Panathenaea and afterwards in the Thesea, the similar competition in εὐταξία, and others of less importance which had to do with the ἀρρηφορία (Lysias 21 § 5), and the κανηφορία (cf. Ar. *Ach.* 242)[6].

Enough has now been said of the λητουργίαι connected with the pursuits of peace, and it will be noticed that practically all of them are associated with religious festivals. In contrast with these is the special λητουργία connected with preparations for war, namely the τριηραρχία, which has been defined as 'the obligation incumbent upon the citizens to make the ships belonging to the state ready for sea, to hire crews, and to undertake sundry incidental expenses and advances of money on behalf of the state[7]'.

As the law proposed by Leptines did not touch the trierarchy, it is unnecessary to dwell at any length on that topic. It will suffice to note that in the course of Athenian history during the fifth and fourth centuries B.C., there were four successive forms of trierarchy. In these the duty was undertaken (1) by single persons, (2) in part by

[1] Athen. p. 185 c φυλετικὰ δεῖπνα.
[2] Boeckh, III xxiii.
[3] Thumser, *l. c.* p. 90—93.
[4] ib. 95 f.
[5] Hdt. vi 87, ἦν...τοῖσι Ἀθηναίοισι πεντετηρὶς ἐπὶ Σουνίῳ,...τὴν θεωρίδα νέα εἶλον (the Aeginetans) πλήρεα ἀνδρῶν τῶν πρώτων Ἀθηναίων.
[6] Thumser, p. 96—99.
[7] Curtius, *H. G.* ii 477 Ward.

single persons and in part by two trierarchs jointly (B.C. 412—358), (3) by groups of persons under the system of συντέλειαι and συμμορίαι proposed by Periander (B.C. 357). This last continued until it was superseded by (4) the trierarchy according to assessment introduced by the law of Demosthenes, which remained in force from B.C. 340 onward. It was the third of these systems which was in existence at the time when the law of Leptines was proposed (§ 23).

The definition of the trierarchy, which has been quoted above, is that of Curtius, who adds the following important criticisms on the general character of all these public services:

"It is impossible not to recognise the objectionable side of these institutions; for no just distribution of the public burdens can thus be effected. The whole civic body is divided into two halves, the boundary-line between which must always retain something of an arbitrary character—viz. the well-to-do and the rest. No services at all are claimed from the latter, who wish only to draw profit from the state; while some among the former spend the whole of their patrimony from motives of patriotism or vanity. For, especially in services for the war department, the state reckons upon the willingness of its citizens to make sacrifices; and as to the management of the festivals, the people accustoms itself constantly to raise its demands. As long, however, as the prosperity of the citizens flourished, and patriotic feeling strongly prevailed, the state beyond a doubt found the liturgies very advantageous. For the public exchequer was saved very important expenses, precisely such in which an economical management was out of the question. The public services were a matter of honour and a subject of emulation. Nor were the liturgies mere pecuniary sacrifices; they involved personal service which demanded efficiency and skill, and therefore advanced the progress of the citizens in all branches of political life in war and peace[1]."

§ 3. *On exemption from the public burdens* (ἀτέλεια).

τέλος is a term of varied import, being applied to any dues paid to the state or to any of its component parts, in the form either of tax or toll or tribute or other public charge or service. Exemption from such dues is termed ἀτέλεια, which may accordingly be defined as an exemption from certain taxes, or from certain ordinary and regular, or extraordinary and exceptional, charges, to which the person exempted would otherwise have been legally liable. The corresponding adjective ἀτελής is explained by Pollux (viii 155) as ἀφειμένος τῶν τελῶν, ἀπηλλαγμένος, ὃς ἐπανεῖται τὰ τέλη, ἔξω τοῦ τέλους, οὐ λειτουργῶν. In *Lept.* § 31 we see it used of exemption from harbour-dues; in § 130 we find the phrase ἀτελεῖς τῶν ἐγκυκλίων λητουργιῶν. It is coupled with such words as εἰσφορά (18) or μετοικίου (130) or φόρου (Hdt. iii 97). It is also applied to

[1] The objections to the system of 'liturgies' were noticed long ago by Aristotle, *Pol.* viii (v) 8 § 20 βέλτιον δὲ καὶ βουλομένους κωλύειν λειτουργεῖν τὰς δαπανηρὰς μὲν μὴ χρησίμους δὲ λειτουργίας, οἷον χορηγίας καὶ λαμπαδαρχίας καὶ ὅσαι ἄλλαι τοιαῦται. vii (vi) 5 § 9 τῶν ματαίων λειτουργιῶν.

immunity from military service (21 § 166), from the trierarchy (*Lept.* § 26) and from similar naval duties (50 § 35)[1].

Such exemption from payments due to the state was granted in many parts of the mainland of Greece and in the islands of the Aegean, as is proved by several passages in ancient authors and by very numerous inscriptions[2]. But we are here concerned with *ἀτέλεια* at Athens alone. *ἀτέλεια* might there be granted either by the state as a whole, or by one of its component parts, such as a tribe or a phratria or a deme; inasmuch as a *τέλος* is not always an obligation due to the whole state, but may also be applied to obligations due to the deme, the phratria or the tribe.

ἀτέλεια was granted either by a special decree dealing in each instance with a single case and binding only for a limited time, except when it conferred the privilege on the descendants of the privileged person; or by a general law affecting all persons alike (§ 131).

I. By law, exemption from the trierarchy was granted to those who had a joint interest in an inherited estate before its actual partition, as well as colonists sent out by the state (*κληροῦχοι*), and those who for want of a better name are generally called 'heiresses' (*ἐπίκληροι*)[3]. Minors were exempt from all *λῃτουργίαι*, and this privilege continued for a year after they had come of age (Lysias 32 § 24). The archons were exempt from the trierarchy during their year of office (*Lept.* § 28). Exemption from military service was also granted to the aged and infirm, to *θῆτες*, to senators, and, probably under certain limitations, to farmers of the public taxes, to traders and to *χορευταί*.

All whose property amounted to less than three talents were *ipso facto* exempt from the regular 'liturgies' (including the trierarchy), thus enjoying what Demosthenes calls an *ἀναγκαία ἀτέλεια* (§ 19). From

[1] Some of the senses of *τέλος* are noticed by the scholiast on p. 466, 7, § 29 *οὐ γὰρ εἶπε τὸ εἶδος τῆς ἀτελείας, χορηγίας ἢ τινὸς ἄλλου τέλους τοιούτου, τέλος λέγων κἀνταῦθα τὰς καταβολὰς καὶ τελωνείας τὰς παρὰ τῶν ἐμπόρων, καὶ τὸ εἰς ὅπερ αὐτὸν δεῖ συντελεῖν χορηγοῦντα τῇ πόλει, ὡς καὶ περὶ τὸ τέλος εἶναι τὴν ἀσάφειαν. πῇ μὲν γὰρ τέλος λέγεται ἡ τελωνεία, πῇ δὲ καὶ τὸ λειτουργεῖν τῇ πόλει. ἐπεὶ οὖν συνέβαινε τὸν Λεύκωνα εἶναι ἀτελῆ, πῇ μὲν διὰ τὸν τιθέμενον πυρὸν ἐν τῷ Πειραιεῖ, πῇ δὲ τὸ μὴ χορηγεῖν ξένον ὄντα, αἰτιᾶται ὡς διδόντος τοῦ νόμου κατὰ τὴν ἀσάφειαν ταύτην καιρὸν τῷ βουλομένῳ καλεῖν εἰς χορηγίαν τὸν Λεύκωνα, καὶ μὴν καὶ ἐπηρεάζειν εἰς τελωνείαν. ὅθεν καὶ ζητεῖ κατὰ ποῖον τέλος ὁ Λεπτίνης λέγει· πότερον κατὰ τὸ μηδένα ἀτελῆ τῶν χορηγιῶν τυγχάνειν, ἢ κατὰ τὸ μὴ δεῖν αὐτὸν τελωνεῖσθαι, κατακλείων εἰς τὸ ἐξεῖναι τῷ βουλομένῳ τελώνῃ χορηγεῖν (τελωνεῖν κελεύειν* Wolf) *καὶ καλεῖν εἰς χορηγίαν τὸν Λεύκωνα.* Cf. schol. on p. 469, 4 *ἄχρι τούτων συμπεραναμένος τὸν λόγον τὸν περὶ τῆς τελωνείας μεταβέβηκεν ἐπὶ τὸ ὁμώνυμον. ὅτι γὰρ κατὰ τὸ πρότερον μέρος τὴν τελωνείαν ἐξήτασεν ἐκεῖθεν δῆλον· ἐλογίσατο γὰρ τίνα καρποῦται τέλη ἐκ τοῦ μὴ τελωνεῖσθαι. εἶτα ἔδειξεν αὐτοὺς ἀφαιρουμένους τὴν δωρεὰν τοῦ Λεύκωνος· εἶτα τὸν Λεύκωνα λοιπὸν ἀνταφαιρούμενον. οὐκοῦν τοῦτο περὶ τῆς τελωνείας εἴρηται. μεταβαίνει δὲ ἐφ' ἕτερον τέλος καὶ τὴν ὁμωνυμίαν, λέγω δὲ τὸ κατὰ τὴν λειτουργίαν.*

[2] Thumser, pp. 111—116.

[3] Dem. 14 § 16 *τῶν ἐπικλήρων καὶ τῶν ὀρφανῶν καὶ τῶν κληρουχικῶν καὶ τῶν κοινωνικῶν καὶ εἴ τις ἀδύνατος ἀφαιρεθέντων.* Boeckh IV xi.

the war-tax no one whatever was exempt (§ 18), not even orphans who were under age and were therefore excused the regular public burdens (Or. 27; 28; 29).

Apart from the privilege of exemption from the trierarchy and the other λητουργίαι and the εἰσφορά, which was thus enjoyed by persons of insufficient means, there was a further measure of relief in the legal provision that no one should be bound to undertake more than one λητουργία in the year (50 § 9), and that no one should necessarily undertake one of the regular λητουργίαι for more than one year out of every two, or the trierarchy for more than one year out of every three.

II. From the time of the Peloponnesian war, the privilege of exemption from the public burdens held the foremost place among the honours which Athens conferred on her benefactors. Before that time, even citizens who had done signal service to the state did not receive this particular privilege (§ 112).

The actual citizens who received it were apparently few in number. The only names to which we can refer are those of Harmodius and Aristogeiton (§§ 128, 70), Conon (75), Chabrias (79), Aristophon (148), and, two centuries after the time of our speech, Miltiades son of Zoilus[1]. With the exception of the son of Zoilus, all of these were certainly exempt from the regular λητουργίαι. The exemption granted to the son of Zoilus is recorded in an inscription which has come down to us in a very fragmentary condition. If, as is probable, the inscription is correctly restored, the only exemption there granted is concerned with customs levied on imports[2]. Exemption from the regular λητουργίαι could hardly be expected to form part of his privileges, as the expenses of the χορηγία in particular had by that time been undertaken by the state, and the place of the χορηγὸς of earlier times was supplied by an officer known as an ἀγωνοθέτης.

In the case of the other five, the privilege descended to their posterity, and this was doubtless one of the provisions enacted in the original decree. Such privileges, however, were retained by the descendant only so long as he remained in the same family, being forfeited as soon as he passed by adoption into another family. Thus, in Isaeus 5 § 47, Dicaeogenes, who claims to have been adopted into the family of Dicaeogenes, son of Menecles, is taunted with having been induced by pecuniary considerations to despise the honours he had inherited as a descendant of Harmodius.

The services for which these citizens severally received this privilege

[1] To these we should perhaps add Diophantus and Eubulus (note on § 137).

[2] CIA ii 421 *a* 13 Μιλτιάδει Ζωΐλου Μαραθ[ωνίῳ], 15 [. . αι] δὲ αὐτῷ ἀτέλειαν τῶν ε[ἰσαγομένων].

were of no unimportant character. Harmodius and Aristogeiton, according to the popular belief, had liberated their country from the tyranny of the Peisistratidae. Conon had conquered the Lacedaemonians at Knidos, had expelled from the islands the representatives of Sparta, had rebuilt the walls of Athens, and had been the means of restoring the supremacy of his country (§§ 68—70). Chabrias had performed brilliant exploits in Boeotia, Aegina, Cyprus and Egypt, had defeated the Lacedaemonians off Naxos, had captured 48 of the enemy's vessels and 3000 soldiers, and had brought 110 talents into the treasury of Athens. Aristophon was among the most prominent statesmen at the time when the *Leptines* was delivered. And lastly, the son of Zoilus, in the middle of the second century B.C., was a citizen who was most liberal in his benefactions to the state[1].

The privilege of ἀτέλεια was also conferred on Leucon, prince of Bosporos, who was a citizen of Athens by adoption (§ 30). This privilege was probably conferred in the same decree as that in which he was presented with the citizenship. We read of several decrees in his honour (§ 35), and in one of these he received the compliment of a golden crown, as may be inferred from a reference in a subsequent decree in honour of his sons[2].

Inscriptions earlier than the date of our speech supply us with some instances of ἀτέλεια being granted to other than citizens; but, even if we give ἀτέλεια the widest possible signification, we have only nine instances at the very most.

(1) A decree of B.C. 428 relieving the people of Methone from the payment of tribute, and allowing them simply to pay a tax of one sixtieth as first fruits to Athene[3].

(2) A decree subsequent to the capture of the Cadmea by the
37 Spartans in 383–2, conferring certain privileges on persons whose names are suggestive of Dorian origin. The inscription is very imperfect, but the term ἀτέλεια is probably rightly conjectured as forming part of it[4].

(3) A proposal, in the time of Androtion, for granting a Sicilian
61 and his descendants exemption from the alien-tax. Here again, the inscription is most imperfect[5].

[1] Köhler on CIA ii 421, 'populiscita duo in honorem Miltiadis Marathonii, civis opibus pariter atque liberalitate ut videtur insignis, facta, quorum e priore quamvis mutilo illud intellegere mihi videor Miltiadem opus aliquod publicum suis impensis perficiendum suscepisse': ib. 446 (vote of golden crown for his services as ἀγωνοθέτης in the Θήσεια).

[2] Hicks, *Manual of Greek Historical Inscriptions*, no. 111 (Dittenberger, no. 101), 26 [ποιε]ῖσθαι δὲ τοὺς στεφάνους... κατὰ τὸ ψήφισμα τοῦ δήμου τὸ πρότερον ἐψηφισμένον Λεύκωνι.

[3] CIA i 40 (Hicks, no. 44), 29 ἐχειροτόνησεν ὁ δῆμος [Μεθωναίου]ς τελεῖν [ὅσο]ν τῇ θεῷ ἀπὸ τοῦ φόρου ἐγίγνε[το,]...τοῦ [δὲ ἄ]λλου ἀτε[λεῖς εἶ]ναι.

[4] CIA ii 16, 9 [τ]ὴν δε ἀτ[έλειαν?] 37

[5] ib. 27 εἶναι Ἀ[..... τῷ Σι]κελίωτ[ι τὴν ἀτέλειαν τοῦ] μετοικ[ίου οἰκοῦντι Ἀθήνη]σ[ι αὐτῷ καὶ ἐκγόνοις...].

(4) Part of a decree in honour of a *proxenos*, granting him and his descendants the right to an estate in Attica, together with *ἀτέλεια*[1]. 53

(5) A fragmentary inscription granting *ἰσοτέλεια*, possibly to a *proxenos*[2]. 83

(6) A decree of B.C. 363, with an amendment proposing to grant to Astycrates, who had been exiled from Delphi, *ἀτέλεια* with the citizenship, and to his fellow-exiles *ἰσοτέλεια*[3]. 109

(7) A decree of B.C. 370–360, in honour of Straton, king of Sidon, proposed by Kephisodotos (one of the *σύνδικοι* appointed to defend the law of Leptines) with a rider moved by Menexenos exempting Sidonians (ordinarily living in Sidon but temporarily resident as merchants at Athens) from payment of the alien-tax or war-tax, and from the duties of a *χορηγός*[4]. The inscription was found on the Acropolis by Chandler, and is now at Oxford. It is interesting to notice that the mover of the decree himself, who afterwards supported the law of Leptines for the abolition of *ἀτέλεια* (§ 146), has nothing to do with the supplementary proposal to grant *ἀτέλεια* to the Sidonians. 141

(8) In the terms of an agreement in 445 B.C. between the Athenians and the inhabitants of Chalkis we have an incidental reference to certain *ξένοι* who are in the enjoyment of *ἀτέλεια*[5]. Apart from this allusion, the only certain instance of the grant of *ἀτέλεια* to *ξένοι* is that mentioned above as (3); and when Demosthenes in § 130 puts the imaginary case of certain citizens being exempt from the *μετοίκιον*, it does not follow from this that the *μέτοικοι* themselves had this privilege granted them[6].

(9) A grant of *ἀτέλεια* to the descendants of Pyrrhus and Lycomedes, and to Isodemus, brother of Lycomedes[7]. 180

The following instances of *ἀτέλεια* are either later in date or belong to an uncertain year:

[1] ib. 42 *εἶναι*] *δὲ αὐτῷ καὶ οἰκίας ἔγκτησιγ καὶ ἀτέλ*[*ειαν αὐτῷ*] *καὶ τοῖς ἐκγόνοις Ἀθήνησι.*

[2] ib. 48 *εἶ*[*ναι δὲ αὐτῷ ἰσ*]*οτέλε*[*ιαν*].

[3] ib. 54 (Dittenberger, no. 78), 46 *εἶναι δὲ αὐτῷ κα*[*ὶ ἀτ*]*έλειαν οἰκοῦντι Ἀθήνησι*, l. 50 [*ἰ*]*σοτέλειαν*. Hicks, no. 91.

[4] CIA ii 86 (Hicks, no. 87; Dittenberger, no. 93), 31 *ὁπόσοι δ' ἂν Σιδωνίων οἰκοῦντες ἐς Σιδῶνι καὶ πολιτευόμενοι ἐπιδημῶσιν κατ' ἐμπορίαν Ἀθήνησι μὴ ἐξεῖναι αὐτοὺς μετοίκιον πράττεσθαι μηδὲ χορηγὸν μηδένα καταστῆσαι μηδ' εἰσφορὰν μηδεμίαν ἐπιγράφειν.* H. Schenkl, *Wiener Studien* ii 189, observes: 'Temporis spatium, quo cuilibet homini Athenis commorari licebat ita, ut vacuus esset a tributis, Sidoniis paulo prorogatur'.

[5] Hicks, no. 28 (Dittenberger, no. 10), 52, *τοὺς δὲ ξένους τοὺς ἐν Χαλκίδι, ὅσοι οἰκοῦντες μὴ τελοῦσιν Ἀθήναζε καὶ εἴ τῳ δέδοται ὑπὸ τοῦ δήμου τοῦ Ἀθηναίων ἀτέλεια, τοὺς δὲ ἄλλους τελεῖν ἐς Χαλκίδα καθάπερ οἱ ἄλλοι Χαλκιδέες.* H. Schenkl, *l.c.* ii 189, inserts <*μὴ τελεῖν*> after *ἀτέλεια*.

[6] H. Schenkl, *l.c.* ii 187, observes: 'numquam...eadem aetate et isoteliam et *μετοικίου* immunitatem datam esse demonstrari potest. Ultimum autem ateliae primumque isoteliae exemplum (CIA ii 48) exiguo tantum discreta sunt temporis spatio'. (He conjectures that the change took place on the revival by Tisamenos in 403 of the revision of the laws first moved in 411.)

[7] CIA ii 91 [*εἶναι προξ*]*ένους καὶ εὐερ-*

through the ten tribes, as contrasted with the extraordinary burdens for the purposes of war, such as the τριηραρχία or superintendence of the equipment of a trireme, and according to some writers the εἰσφορά, or war-tax. It must be noticed, however, that so far from the τριηραρχία being confined to times of war, trierarchs were annually elected, even in times of peace, and that the principle of 'rotation' was applied to these as well as to others who undertook the 'liturgies' more directly connected with peaceful purposes. Thus the war-tax alone can be strictly regarded as an extraordinary service; and even this is excluded by Boeckh[1] from the list of 'services immediately rendered to the state'. He observes that ancient writers, when they aimed at accuracy of language, distinguished between the λειτουργίαι and the εἰσφορά[2], and that orphans were exempted from all λειτουργίαι but not from the war-tax.

It has generally been found convenient to classify the 'liturgies' under the two divisions of ordinary and extraordinary, and to include the trierarchy as well as the war-tax in the latter; but as the trierarchy was in a certain sense 'ordinary', in so far as trierarchs were elected every year, it is more accurate to divide them into those connected with the pursuits of peace and those connected with preparations for war.

To the former belonged the public services designated by the terms χορηγία, γυμνασιαρχία, ἑστίασις and ἀρχιθεωρία. Of these, the first was the most important; so much so, that the term is sometimes used in a general sense, as synonymous with λητουργία, and χορηγὸς is thus used instead of λητουργός (§ 19). In its narrower and more special meaning, χορηγία is applied to the office of χορηγός, or 'choral steward'. It was the duty of this officer to bear the expense of providing the chorus in public representations, whether in the theatre, in connexion with tragic, satyric or comic dances (χορηγεῖν τραγῳδοῖς, κωμῳδοῖς); or elsewhere, as in lyric choruses of men or boys, in pyrrhic or cyclic dances, and in performances on the flute (χορηγεῖν ἀνδράσιν or ἀνδρικοῖς χοροῖς, παισὶν or παιδικοῖς χοροῖς, πυρριχισταῖς, κυκλίῳ χορῷ, αὐλητοῖς ἀνδράσιν). The ceremonies at which a *choregus* was required were those of the greater Dionysia, the Lenaea, the Thargelia, the greater Panathenaea and the less, and probably also the festivals in honour of Prometheus, Hephaestus and Athene Σκιράς[3]. It was also his duty to see that the

[1] *Public Economy of Athens*, III xxi.

[2] [Dem.] 47 § 54; Isocr. 8 § 128; 15 § 145.

[3] Xenophon, *Rep. Ath.* iii 4 χορηγεῖν εἰς Διονύσια καὶ Θαργήλια καὶ Παναθήναια καὶ Προμήθεια καὶ Ἡφαίστεια. Here χορηγεῖν is used in its narrow sense in connexion with the Dionysia and Thargelia; but inasmuch as the λητουργία known as γυμνασιαρχία was connected with the festivals of Prometheus and Hephaestus, it is possible that with regard

chorus was duly instructed by a teacher (χοροδιδάσκαλος), and to pay him for his services. The expense involved in the χορηγία was heavy in itself, and it was made all the heavier by the emulation inspired by the prizes awarded for success in the public competitions between the various choruses. Men of wealth made it the means of winning their way to power among the people. This was particularly true in the case of the wealthy Nicias[1]; and it was also one of the many forms of extravagance which marked the career of Alcibiades[2]. As regards the outlay involved, we learn from a speech of Lysias that, within four or five years, one Aristophanes spent in all 5000 drachmae on two χορηγίαι for tragedies[3]. The cost of the chorus varied according to the nature of the performance. Thus a chorus of flute-players, in so far as it consisted of persons of highly trained accomplishments in music, cost more than a tragic chorus, and the latter more than a chorus in a comedy[4].

The comparative cheapness of the comic chorus may reasonably be ascribed in part to the greater splendour of the dresses used in representing a tragedy. But it may be doubted whether the tragic chorus was always more costly than the comic. So far as we can draw any conclusions from modern revivals of ancient plays, recent experience in Cambridge proves that it costs far more to give a complete equipment to a chorus of Birds than to array a chorus of Furies, or of Theban Elders, or of Salaminian Sailors. Such conclusions, however, may possibly be misleading, and we are on safer ground if we are content to accept the evidence that we find on this point in the twenty-first speech of Lysias, where the speaker gives an elaborate statement of the sums expended on various λητουργίαι between 411 and 403 B.C. The items (expressed in talents and minae) are as follows:

to these latter, χορηγεῖν is used in its wider sense instead of λητουργεῖν. The same festivals are mentioned together (shortly after B.C. 403) in CIA ii 553 [Θ]εο[ί. Ἔδ]οξεν τῇ Πανδιονίδι φυλῇ. Καλλικράτης εἶπε[ν· ἐπ]αινέσαι Νικίαν Ἐπιγένους Κυδαθηναιᾶ ἀνδραγαθίας ἕνεκα τῆς εἰς τὴν φυλήν, ὅτι εὖ καὶ προθύμως ἐχορήγησεν τοῖς παισὶ καὶ ἔνικα Διονύσια καὶ Θαργήλια ἀνδρασιν, καὶ στεφανῶσαι αὐτὸν· ἀναγράψαι δὲ τόδε τὸ ψήφισμα εἰστήλῃ λιθίνῃ ἐμ Π[αν]δίονος τοὺς ἐπιμελητάς. ἀναγράψαι δὲ καὶ εἴ τις ἄλλος νενίκηκεν ἀπ' Εὐκλείδου ἄρχοντος παισὶν ἢ ἀνδράσιν Διονύσια ἢ Θαργήλια ἢ Προμήθια ἢ Ἡφαίστια, ἀναγράφειν δὲ καὶ τὸ λοιπὸν ἐάν τις τούτων τι νικήσῃ τοὺς ἐπιμελητὰς ἐφ' ὧν νικήσῃ ἐν τῇ αὐτῇ στήλῃ. Here χορηγεῖν is applied to the Dionysia and Thargelia, but not to the festivals of Prometheus and Hephaestus. Cf. Mommsen's *Heortologie* p. 311. n. and for Athene Σκίρας, *ib.* 287; Athenaeus xi 92 p. 495 τρέχουσι δ' (οἱ ἔφηβοι) ἐκ τοῦ ἱεροῦ τοῦ Διονύσου μέχρι τοῦ τῆς Σκιράδος Ἀθηνᾶς ἱεροῦ, καὶ ὁ νικήσας λαμβάνει κύλικα τὴν λεγομένην πεντάπλοαν, καὶ κωμάζει μετὰ χοροῦ. Thumser, *de civium Atheniensium muneribus eorumque immunitate*, p. 83.

[1] Plut. *Nic.* 3 χορηγίαις ἀνελαμβάνει καὶ γυμνασιαρχίαις ἑτέραις τε τοιαύταις φιλοτιμίαις τὸν δῆμον.

[2] Isocr. *de bigis* 35 περὶ τῶν ἐνθάδε χορηγιῶν καὶ γυμνασιαρχιῶν καὶ τριηραρχιῶν αἰσχύνομαι λέγειν.

[3] Lys. 19 §§ 42. 19.

[4] Dem. 21 § 156.

B.C. 411	tragic chorus	30m
	chorus of men for the Thargelia	20m
410	pyrrhicists for the greater Panathenaea	8m
	chorus of men &c. for the Dionysia	50m
409	cyclic chorus	3m
411—405	trierarchy	6t
	war-tax (two payments)	70m
405	gymnasiarchia	12m
	chorus of boys	15m+
403	comic chorus	16m
	boy pyrrhicists, for the lesser Panathenaea	7m
	boat-race	15m
	religious processions &c.	30m+
	total	10t 36m[1]

It has already been observed by Boeckh that the liberality displayed by the person in question is clearly exceptional. He need not have performed any of these services during the year after coming of age, or for several years together, or at the same time as the trierarchy; and, again, there was no necessity for his undertaking the trierarchy itself more frequently than once in three years instead of seven years in succession[2].

The above items end with the restoration of the democracy in the archonship of Eucleides (403). After that year, owing partly, at least, to a decline in the prosperity of Athens, we have fewer instances of such liberality of expenditure. Thus, in 389 there was actually a failure of χορηγοὶ for the comic chorus. It is true that Demosthenes in his speech against the law of Leptines (§ 22) is confident that there will be no want of χορηγοὶ in the future. But this expectation was not completely realised; for, in his own speech against Meidias (§ 13), we learn that for several years no χορηγὸς had been furnished by the tribe Pandionis, when, on a dispute arising between the archon and the officials of the tribe, Demosthenes himself volunteered to undertake the duty.

The members of the tribe, acting through the ἐπιμεληταὶ τῆς φυλῆς (*Meidias* § 13), decided who should undertake the χορηγία in each instance; and in so doing they were guided by a prescribed order of rotation. Of the λῃτουργίαι usually performed by citizens it was apparently the χορηγία alone that was ever undertaken by resident aliens. There is no proof, nor indeed any reasonable probability, that aliens took part in the λῃτουργίαι which we have still to mention, such as the γυμνασιαρχία

[1] The intrinsic value of the money spent is equivalent to about £2550, but its purchasing power expressed in modern coinage would be far higher.

[2] *Public Economy of Athens*, III xxii.

or the τριηραρχία. And we cannot draw any such inference from the passage where Lysias, who was a resident alien, describes himself and his father and brother as πάσας τὰς χορηγίας χορηγήσαντες [1].

At first each chorus was assigned to a single χορηγός; but when in process of time (as already indicated) there was an occasional failure of χορηγοί, a concession was made by which the expense might be shared by two persons. This change, according to Aristotle, as quoted in a *scholium* on Aristophanes, *Ranae* 406, began in the archonship of Kallias, 406 B.C.[2]. Occasionally, a single χορηγὸς served for two tribes simultaneously[3]. The latest known instance of a χορηγία undertaken by an individual citizen is recorded on the choragic monument of Thrasyllus, B.C. 320[4]. Ultimately the expense was borne by the state itself. There is proof of this in an inscription assigned to B.C. 307, the earliest of the series[5]; also in one later than B.C. 292[6], and lastly in one belonging to B.C. 271[7]. This innovation came in under the rule of Demetrius Phalereus who was the *archon eponymus* of B.C. 309—8 and presided at the public celebration of the Dionysia in that year[8].

Meanwhile, the terms χορηγός, χορηγεῖν and χορηγία, from their constant use in the original sense of a special form of public generosity, had already metaphorically acquired a more general application to any kind of liberal provision whatsoever. Thus it is that χορηγὸς is used by Demosthenes of 'one who supplies the cost for any purpose', as when Philip is called the χορηγὸς of his partisans in Athens[9]; χορηγεῖν and χορηγία are applied by Aristotle to generous equipment of any kind[10], while, in Polybius, χορηγία passes from its primary application to the peaceful contests of the drama into a term descriptive of 'supplies for war'[11]. And, lastly, when the choral competitions of Athens had passed away, the metaphorical sense of the word acquired a new life in the epistles of St Paul[12] and the prayer of St Chrysostom[13].

[1] 12 § 20. Cf. H. Schenkl, *Wiener Studien* ii 190.

[2] Boeckh, i p. 538 note *c*, ed. Fränkel.

[3] Antiphon 6 § 11, Schol. Dem. 465, 27, *Lept.* § 28, and inscriptions quoted by Thumser, p. 87, note 4, since published in Dittenberger's *Sylloge* no. 411 (B.C. 365–), 412 (B.C. 364–), 413, 414 (B.C. 344–). In the second of these, the tribes Leontis and Aegeis have a single choregus: in the other three, the tribes Pandionis and Acamantis.

[4] Stuart's *Ant. of Athens* ii plate 38; CIA ii 1247; Dittenberger, no. 423.

[5] ὁ δῆμος ἐχορήγει. Dittenberger, no. 417 (CIA ii 1289). Boeckh, ed. Fränkel, note 765.

[6] Dittenberger, no. 418.

[7] CIA 1292, 1293.

[8] Köhler in CIA ii 1289.

For further details respecting the *choregia*, see the Dictionaries of Antiquities, esp. Caillemer's art. in Daremberg and Saglio: also Boeckh III xxii, and Thumser, pp. 83–88, Haigh, *Attic Theatre*, pp. 71–75. Cf. CIA 1234–1299.

[9] 9 § 60 and 19 § 216; cf. 40 § 51 and Aeschin. 3 § 240 σὺ δὲ πλουτεῖν καὶ τοῖς ἡδοναῖς ταῖς σαυτοῦ χορηγεῖν ('minister to').

[10] *Eth. N.* i 10 § 15 κεχορηγημένοι τοῖς ἐκτὸς ἀγαθοῖς. x 8 § 4 ἡ ἐκτὸς χορηγία.

[11] i 18 § 9 etc.

[12] ἐπιχορηγεῖν 2 Cor. ix 10; Gal. iii 5; Col. ii 19. ἐπιχορηγία Phil. i 19; Eph. iv 16.

[13] ἐπιχορηγῶν.

The second kind of λητουργία is called the γυμνασιαρχία. There is some ambiguity in the term, and a corresponding confusion has arisen with regard to the duties which it implies. Thus, in the latest edition of Liddell and Scott, a γυμνασίαρχος is defined as 'a performer of one of the liturgies or public duties at Athens, who superintended the palaestrae, and paid the training-masters, Andoc. 17, 20, Dem. 940, 13 etc.' It is true that, in the time of the Roman emperors, the γυμνασιαρχία at Athens was assigned partly to annual, partly to 12 or 13 monthly, gymnasiarchs who had the superintendence of the gymnastic schools. But even in the Imperial period 'the Athenian gymnasiarchs were of two distinct kinds and both classes of gymnasiarchs held not an ἀρχή but a λειτουργία. One class of the gymnasiarchs were directly descended from the ancient gymnasiarchy, and were 12 in number, one from each tribe. These may be termed public gymnasiarchs (CIG 267, 396). On the other hand, upon the inscriptions relating to the Ephebi we meet with frequent mention of gymnasiarchs evidently of a different character. In short, it appears that the title, quite consistently with the ancient meaning of γυμνασιαρχεῖν, was in Imperial times applied also to those Ephebi who contributed of their own means towards the expenses of their less wealthy fellow-scholars in the gymnasium'[1]. But there is no proof that γυμνασιαρχία implied superintendence of the *gymnasia* in the times of Pericles and Demosthenes. A distinction must therefore be drawn between the form of γυμνασιαρχία which probably existed only in later times, and the ancient liturgic γυμνασιαρχία with which alone we are now concerned. This is an institution connected, not with the public *gymnasia*, but with the public games, especially those in the festivals of Prometheus, Hephaestus and Pan, and also in the Panathenaea[2], the Lenaea, perhaps also in the Thesea, and in certain funeral ceremonies. In all the extant passages, whether in ancient authors or in inscriptions, where the liturgic γυμνασιαρχία is mentioned with any preciseness of detail, we find it associated with the torch-race[3], and as the torch-race formed part of all the above festivals it has been inferred that it was the maintenance of these races that was one of the regular λητουργίαι.

Such races were particularly appropriate to the festivals held in commemoration of the heaven-sent gifts of light and fire, such as the festivals of Hephaestus, Prometheus and Pan. As the games in question

[1] *Greek Inscr. in the British Museum* i 40 (CIG 252) Γοργίας Λυκίσκου γυμνασιαρχήσας ἀνέθηκε (probably an Ephebos); *ib.* 41 (CIG 257) ὁ δεῖνα λ]αμπάδι νικήσας, γυμνασιαρχῶν [ἀνέθηκεν (certainly an Ephebos).

[2] CIA ii 1229 (B.C. 346–) ['A]καμα[ντ]ὶς ἐνίκα λαμπάδι Παναθήναια τὰ μεγά[λ]α ἐπ' Ἀρχίου ἄρχοντος. Ξενοκλ[ῆ]ς ἐγυμνασιάρχει. The authorities for the other festivals are given by Thumser *l.c.*, p. 88.

[3] e.g. CIA ii 606 a decree in honour of a γυμνασίαρχος, reciting the names of certain λαμπαδηφόροι (about 350 B.C.).

naturally took place at night, it would be necessary to light up the scene of the contest; and it has been suggested that the cost of this illumination probably fell on the gymnasiarch. The god of fire and the forge was also worshipped at the family festival of the Apaturia, about the end of October, 'by men splendidly dressed, holding torches in their hands, which they lighted at the sacred hearth, as an expression of gratitude for the use of fire'[1]. At the festival in honour of Prometheus, the scene of the race was the outer Cerameicus, described by Thucydides (ii 34 § 2) as the fairest suburb of Athens.

It is the torch-race in the Prometheia, that is the theme of the fine allusion in Shelley, where the Earth tells Prometheus of his far-off temple:

> 'It is deserted now, but once it bore
> Thy name, Prometheus; there the emulous youths
> Bore to thy honour thro' the divine gloom
> The lamp that was thine emblem; even as those
> Who bear the untransmitted torch of hope
> Into the grave, across the night of life,
> As thou hast borne it most triumphantly
> To this far goal of Time'. *Prometheus Unbound*, III iii 167.

Just as in the case of the other 'liturgies', one gymnasiarch was appointed by every tribe for each festival. It is, at any rate, so stated in the second argument to the *Meidias*. In the times with which we are concerned, his duties were solely connected with what may be called the athletic arrangements in the sacred games already enumerated. A scholiast assures us that for these festivals the gymnasiarch had to furnish the oil[2]: a modern critic, F. A. Wolf, conjectures that he also supplied the sand. But, without dwelling on these trivial details (which possibly only apply to the later form of γυμνασιαρχία), it is enough for us to know that, like the members of the chorus in their relation to the χορηγός, those who had to run in the races at these festivals were maintained, during the time of training, at the expense of the gymnasiarch. And it has been fairly inferred that, so long as he had to provide for them, he had also a certain disciplinary authority over them. Just as the χορηγὸς whose chorus won the prize in the theatre commemorated the victory by setting up a tripod, as in the case of the famous choragic monument of Lysicrates still standing at Athens; so the success of the gymnasiarch was usually celebrated by some similar memorial. We have inscriptions on these points belonging to the years 346[3] and 338 B.C.[4]

[1] Boeckh, III xxiii p. 603 Lamb.

[2] Schol. on p. 465, 28, γυμνασίαρχος δὲ ὁ παρέχων τοῦλαιον τοῖς γυμναζομένοις— γυμνάσιον γὰρ τὴν παλαίστραν ἐκάλουν—, καὶ κρατῆρας ἐπίμπλασαν τοῖς βουλομένοις δημοσίᾳ χρίεσθαι.

[3] CIA 1229 quoted above, p. viii, note 2.

[4] CIG 251=CIA 1181.

The third variety of λητουργία is called the ἑστιασις, the feasting of the tribe. The expense of this was borne by a person selected from each tribe (ἑστιάτωρ). The entertainment was connected with the festivals of the tribes[1], which were 'introduced for sacred objects and for the maintenance of a friendly intercourse among the citizens of the same tribe', and in so far as social distinctions did not enter into consideration, such festivals were peculiarly 'appropriate to the spirit of a democracy'. The cost of the entertainment was small. It has been estimated that, assuming the number of guests in each tribe to be 2000 and the cost two obols a head, the total expense of such an entertainment would be nearly 700 drachmae[2]. Although it was only members of a single tribe that were present on such an occasion, the entertainment was under the sanction of the state and the person who bore the expense was deemed to have done a public service, just as much as if he had served in either of the 'liturgies' already mentioned[3].

Another form of λητουργία is the ἀρχιθεωρία, or superintendence of the sacred embassies sent to the panhellenic festivals at Olympia and elsewhere, or to the shrine of Delos or the oracles of Delphi and Dodona[4].

There are also certain minor services, such as those connected with the festal vessel sent once in five years to the temple on the foreland of Sunium[5], the races in the harbour of the Peiraeus, the contests of εὐανδρία in the Panathenaea and afterwards in the Thesea, the similar competition in εὐταξία, and others of less importance which had to do with the ἀρρηφορία (Lysias 21 § 5), and the κανηφορία (cf. Ar. *Ach.* 242)[6].

Enough has now been said of the λητουργίαι connected with the pursuits of peace, and it will be noticed that practically all of them are associated with religious festivals. In contrast with these is the special λητουργία connected with preparations for war, namely the τριηραρχία, which has been defined as 'the obligation incumbent upon the citizens to make the ships belonging to the state ready for sea, to hire crews, and to undertake sundry incidental expenses and advances of money on behalf of the state[7]'.

As the law proposed by Leptines did not touch the trierarchy, it is unnecessary to dwell at any length on that topic. It will suffice to note that in the course of Athenian history during the fifth and fourth centuries B.C., there were four successive forms of trierarchy. In these the duty was undertaken (1) by single persons, (2) in part by

[1] Athen. p. 185 c φυλετικὰ δεῖπνα.
[2] Boeckh, III xxiii.
[3] Thumser, *l. c.* p. 90—93.
[4] ib. 95 f.
[5] Hdt. vi 87, ἦν...τοῖσι Ἀθηναίοισι πεντηρὶς ἐπὶ Σουνίῳ,...τὴν θεωρίδα νέα εἶλον (the Aeginetans) πλήρεα ἀνδρῶν τῶν πρώτων Ἀθηναίων.
[6] Thumser, p. 96—99.
[7] Curtius, *H. G.* ii 477 Ward.

single persons and in part by two trierarchs jointly (B.C. 412—358), (3) by groups of persons under the system of συντέλειαι and συμμορίαι proposed by Periander (B.C. 357). This last continued until it was superseded by (4) the trierarchy according to assessment introduced by the law of Demosthenes, which remained in force from B.C. 340 onward. It was the third of these systems which was in existence at the time when the law of Leptines was proposed (§ 23).

The definition of the trierarchy, which has been quoted above, is that of Curtius, who adds the following important criticisms on the general character of all these public services:

"It is impossible not to recognise the objectionable side of these institutions: for no just distribution of the public burdens can thus be effected. The whole civic body is divided into two halves, the boundary-line between which must always retain something of an arbitrary character—viz. the well-to-do and the rest. No services at all are claimed from the latter, who wish only to draw profit from the state; while some among the former spend the whole of their patrimony from motives of patriotism or vanity. For, especially in services for the war department, the state reckons upon the willingness of its citizens to make sacrifices: and as to the management of the festivals, the people accustoms itself constantly to raise its demands. As long, however, as the prosperity of the citizens flourished, and patriotic feeling strongly prevailed, the state beyond a doubt found the liturgies very advantageous. For the public exchequer was saved very important expenses, precisely such in which an economical management was out of the question. The public services were a matter of honour and a subject of emulation. Nor were the liturgies mere pecuniary sacrifices; they involved personal service which demanded efficiency and skill, and therefore advanced the progress of the citizens in all branches of political life in war and peace."

§ 3. *On exemption from the public burdens:* ἀτέλεια.

τέλος is a term of varied import, being applied to any dues paid to the state or to any of its component parts, in the form either of tax or toll or tribute or other public charge or service. Exemption from such dues is termed ἀτέλεια, which may accordingly be defined as an exemption from certain taxes or from certain ordinary and regular, or extraordinary and exceptional, charges to which the person exempted would otherwise have been legally liable. The corresponding adjective ἀτελής is explained by Pollux viii 122 as ἀνεισφόρητον, ἀνυπαγωγόν, ἐλευθέριον τε καὶ ἄφορον τέλους καὶ λειτουργίας. In Lysias xxi 1 we find it used of exemption from taxation. It is also found in the phrase ἀτελὴς τῶν ἐγκυκλίων ἐπιταγῶν in a document with which we are concerned (18), or ἀτελὴς ἐγ πάσης λῃτουργίας in Dem. xxi 171. In Isaeus xi 42 ἀτελὴς is

[1] The distinction in the system of liturgies [illegible] Pollux viii 122 [illegible] ἀνυπαγωγόν, ἐλευθέριον τε καὶ ἄφορον τέλους καὶ λειτουργίας. [illegible] ἀτελὴς τῶν ἐγκυκλίων ἐπιταγῶν [illegible] ἀτελὴς ἐγ πάσης λῃτουργίας [illegible]

immunity from military service (21 § 166), from the trierarchy (*Lept.* § 26) and from similar naval duties (50 § 35)[1].

Such exemption from payments due to the state was granted in many parts of the mainland of Greece and in the islands of the Aegean, as is proved by several passages in ancient authors and by very numerous inscriptions[2]. But we are here concerned with *ἀτέλεια* at Athens alone. *ἀτέλεια* might there be granted either by the state as a whole, or by one of its component parts, such as a tribe or a phratria or a deme; inasmuch as a *τέλος* is not always an obligation due to the whole state, but may also be applied to obligations due to the deme, the phratria or the tribe.

ἀτέλεια was granted either by a special decree dealing in each instance with a single case and binding only for a limited time, except when it conferred the privilege on the descendants of the privileged person; or by a general law affecting all persons alike (§ 131).

I. By law, exemption from the trierarchy was granted to those who had a joint interest in an inherited estate before its actual partition, as well as colonists sent out by the state (*κληροῦχοι*), and those who for want of a better name are generally called 'heiresses' (*ἐπίκληροι*)[3]. Minors were exempt from all *λῃτουργίαι*, and this privilege continued for a year after they had come of age (Lysias 32 § 24). The archons were exempt from the trierarchy during their year of office (*Lept.* § 28). Exemption from military service was also granted to the aged and infirm, to *θῆτες*, to senators, and, probably under certain limitations, to farmers of the public taxes, to traders and to *χορευταί*.

All whose property amounted to less than three talents were *ipso facto* exempt from the regular 'liturgies' (including the trierarchy), thus enjoying what Demosthenes calls an *ἀναγκαία ἀτέλεια* (§ 19). From

[1] Some of the senses of *τέλος* are noticed by the scholiast on p. 466, 7, § 29 *οὐ γὰρ εἶπε τὸ εἶδος τῆς ἀτελείας, χορηγίας ἢ τινὸς ἄλλου τέλους τοιούτου, τέλος λέγων κἀνταῦθα τὰς καταβολὰς καὶ τελωνείας τὰς παρὰ τῶν ἐμπόρων, καὶ τὸ εἰς ὅπερ αὐτὸν δεῖ συντελεῖν χορηγοῦντα τῇ πόλει, ὡς καὶ περὶ τὸ τέλος εἶναι τὴν ἀσάφειαν. πῇ μὲν γὰρ τέλος λέγεται ἡ τελωνεία, πῇ δὲ καὶ τὸ λειτουργεῖν τῇ πόλει. ἐπεὶ οὖν συνέβαινε τὸν Λεύκωνα εἶναι ἀτελῆ, πῇ μὲν διὰ τὸν τιθέμενον πυρὸν ἐν τῷ Πειραιεῖ, πῇ δὲ τὸ μὴ χορηγεῖν ξένον ὄντα, αἰτιᾶται ὡς διδόντος τοῦ νόμου κατὰ τὴν ἀσάφειαν ταύτην καιρὸν τῷ βουλομένῳ καλεῖν εἰς χορηγίαν τὸν Λεύκωνα, καὶ μὴν καὶ ἐπηρεάζειν εἰς τελωνείαν. ὅθεν καὶ ζητεῖ κατὰ ποῖον τέλος ὁ Λεπτίνης λέγει· πότερον κατὰ τὸ μηδένα ἀτελῆ τῶν χορηγιῶν τυγχάνειν, ἢ κατὰ τὸ μὴ δεῖν αὐτὸν τελωνεῖσθαι, κατακλείων εἰς τὸ ἐξεῖναι τῷ βουλομένῳ τελώνῃ χορηγεῖν (τελωνεῖν κελεύειν Wolf) καὶ καλεῖν εἰς χορηγίαν τὸν Λεύκωνα.* Cf. schol. on p. 469, 4 *ἄχρι τούτων συμπεραναμένος τὸν λόγον τὸν περὶ τῆς τελωνείας μεταβέβηκεν ἐπὶ τὸ ὁμώνυμον. ὅτι γὰρ κατὰ τὸ πρότερον μέρος τὴν τελωνείαν ἐξήτασεν ἐκεῖθεν δῆλον· ἐλογίσατο γὰρ τίνα καρποῦται τέλη ἐκ τοῦ μὴ τελωνεῖσθαι. εἶτα ἔδειξεν αὐτοὺς ἀφαιρουμένους τὴν δωρεὰν τοῦ Λεύκωνος· εἶτα τὸν Λεύκωνα λοιπὸν ἀνταφαιρούμενον. οὐκοῦν τοῦτο περὶ τῆς τελωνείας εἴρηται. μεταβαίνει δὲ ἐφ' ἕτερον τέλος καὶ τὴν ὁμωνυμίαν, λέγω δὲ τὸ κατὰ τὴν λειτουργίαν.*

[2] Thumser, pp. 111—116.

[3] Dem. 14 § 16 *τῶν ἐπικλήρων καὶ τῶν ὀρφανῶν καὶ τῶν κληρουχικῶν καὶ τῶν κοινωνικῶν καὶ εἴ τις ἀδύνατος ἀφαιρεθέντων.* Boeckh IV xi.

the war-tax no one whatever was exempt (§ 18), not even orphans who were under age and were therefore excused the regular public burdens (Or. 27; 28; 29).

Apart from the privilege of exemption from the trierarchy and the other λητουργίαι and the εἰσφορά, which was thus enjoyed by persons of insufficient means, there was a further measure of relief in the legal provision that no one should be bound to undertake more than one λητουργία in the year (50 § 9), and that no one should necessarily undertake one of the regular λητουργίαι for more than one year out of every two, or the trierarchy for more than one year out of every three.

II. From the time of the Peloponnesian war, the privilege of exemption from the public burdens held the foremost place among the honours which Athens conferred on her benefactors. Before that time, even citizens who had done signal service to the state did not receive this particular privilege (§ 112).

The actual citizens who received it were apparently few in number. The only names to which we can refer are those of Harmodius and Aristogeiton (§§ 128, 70), Conon (75), Chabrias (79), Aristophon (148), and, two centuries after the time of our speech, Miltiades son of Zoilus[1]. With the exception of the son of Zoilus, all of these were certainly exempt from the regular λητουργίαι. The exemption granted to the son of Zoilus is recorded in an inscription which has come down to us in a very fragmentary condition. If, as is probable, the inscription is correctly restored, the only exemption there granted is concerned with customs levied on imports[2]. Exemption from the regular λητουργίαι could hardly be expected to form part of his privileges, as the expenses of the χορηγία in particular had by that time been undertaken by the state, and the place of the χορηγὸς of earlier times was supplied by an officer known as an ἀγωνοθέτης.

In the case of the other five, the privilege descended to their posterity, and this was doubtless one of the provisions enacted in the original decree. Such privileges, however, were retained by the descendant only so long as he remained in the same family, being forfeited as soon as he passed by adoption into another family. Thus, in Isaeus 5 § 47, Dicaeogenes, who claims to have been adopted into the family of Dicaeogenes, son of Menecles, is taunted with having been induced by pecuniary considerations to despise the honours he had inherited as a descendant of Harmodius.

The services for which these citizens severally received this privilege

[1] To these we should perhaps add Diophantus and Eubulus (note on § 137).

[2] CIA ii 421 *a* 13 Μιλτιάδει Ζωΐλου Μαραθ[ωνίῳ], 15 [. . αι] δὲ αὐτῷ ἀτέλειαν τῶν ε[ἰσαγομένων].

were of no unimportant character. Harmodius and Aristogeiton, according to the popular belief, had liberated their country from the tyranny of the Peisistratidae. Conon had conquered the Lacedaemonians at Knidos, had expelled from the islands the representatives of Sparta, had rebuilt the walls of Athens, and had been the means of restoring the supremacy of his country (§§ 68—70). Chabrias had performed brilliant exploits in Boeotia, Aegina, Cyprus and Egypt, had defeated the Lacedaemonians off Naxos, had captured 48 of the enemy's vessels and 3000 soldiers, and had brought 110 talents into the treasury of Athens. Aristophon was among the most prominent statesmen at the time when the *Leptines* was delivered. And lastly, the son of Zoilus, in the middle of the second century B.C., was a citizen who was most liberal in his benefactions to the state[1].

The privilege of ἀτέλεια was also conferred on Leucon, prince of Bosporos, who was a citizen of Athens by adoption (§ 30). This privilege was probably conferred in the same decree as that in which he was presented with the citizenship. We read of several decrees in his honour (§ 35), and in one of these he received the compliment of a golden crown, as may be inferred from a reference in a subsequent decree in honour of his sons[2].

Inscriptions earlier than the date of our speech supply us with some instances of ἀτέλεια being granted to other than citizens; but, even if we give ἀτέλεια the widest possible signification, we have only nine instances at the very most.

(1) A decree of B.C. 428 relieving the people of Methone from the payment of tribute, and allowing them simply to pay a tax of one sixtieth as first fruits to Athene[3].

(2) A decree subsequent to the capture of the Cadmea by the
37 Spartans in 383–2, conferring certain privileges on persons whose names are suggestive of Dorian origin. The inscription is very imperfect, but the term ἀτέλεια is probably rightly conjectured as forming part of it[4].

(3) A proposal, in the time of Androtion, for granting a Sicilian
61 and his descendants exemption from the alien-tax. Here again, the inscription is most imperfect[5].

[1] Köhler on CIA ii 421, 'populiscita duo in honorem Miltiadis Marathonii, civis opibus pariter atque liberalitate ut videtur insignis, facta, quorum e priore quamvis mutilo illud intellegere mihi videor Miltiadem opus aliquod publicum suis impensis perficiendum suscepisse': ib. 446 (vote of golden crown for his services as ἀγωνοθέτης in the Θήσεια).

[2] Hicks, *Manual of Greek Historical Inscriptions*, no. 111 (Dittenberger, no. 101), 26 [ποιε]ῖσθαι δὲ τοὺς στεφάνους... κατὰ τὸ ψήφισμα τοῦ δήμου τὸ πρότερον ἐψηφισμένον Λεύκωνι.

[3] CIA i 40 (Hicks, no. 44), 29 ἐχειροτόνησεν ὁ δῆμος [Μεθωναίου]ς τελεῖν [δσο]ν τῇ θεῷ ἀπὸ τοῦ φόρου ἐγίγνε[το,]...τοῦ [δὲ ἄ]λλου ἀτε[λεῖς εἶ]ναι.

[4] CIA ii 16, 9 [τ]ὴν δε ἀτ[έλειαν?] 37

[5] ib. 27 εἶναι Α[..... τῷ Σι]κελίωτ[ι τὴν ἀτέλειαν τοῦ] μετοικ[ίου οἰκοῦντι Ἀθήνη]σ[ι αὐτῷ καὶ ἐκγόνοις...].

(4) Part of a decree in honour of a *proxenos*, granting him and his descendants the right to an estate in Attica, together with ἀτέλεια[1].

(5) A fragmentary inscription granting ἀτέλεια, possibly to a *proxenos*[2].

(6) A decree of B.C. 363, with an amendment proposing to grant to Astycrates, who had been exiled from Delphi, ἀτέλεια with the citizenship, and to his fellow-exiles ἀνορία[3].

(7) A decree of B.C. 370–360, in honour of Straton, king of Sidon, proposed by Kephisodotos (one of the συνήγοροι appointed to defend the law of Leptines) with a rider moved by Menexenos exempting Sidonians (ordinarily living in Sidon but temporarily resident as merchants at Athens) from payment of the alien-tax or war-tax, and from the duties of a χορηγός[4]. The inscription was found on the Acropolis by Chandler, and is now at Oxford. It is interesting to notice that the mover of the decree himself, who afterwards supported the law of Leptines for the abolition of ἀτέλεια (§ 146), has nothing to do with the supplementary proposal to grant ἀτέλεια to the Sidonians.

(8) In the terms of an agreement in 445 B.C. between the Athenians and the inhabitants of Chalkis we have an incidental reference to certain ξένοι who are in the enjoyment of ἀτέλεια[5]. Apart from this allusion, the only certain instance of the grant of ἀτέλεια to ξένοι is that mentioned above as (3); and when Demosthenes in § 130 puts the imaginary case of certain citizens being exempt from the μετοίκιον, it does not follow from this that the μέτοικοι themselves had this privilege granted them[6].

(9) A grant of ἀτέλεια to the descendants of Pyrrhus and Lycomedes, and to Isodemus, brother of Lycomedes[7]. 160

The following instances of ἀτέλεια are either later in date or belong to an uncertain year:

[1] ib. 42 εἶναι] δὲ αὐτῷ καὶ οἰκίας ἐγκτησιγ καὶ ἀτέλ[ειαν αὐτῷ] καὶ τοῖς ἐκγόνοις Ἀθήνησι.

[2] ib. 48 εἶ[ναι δὲ αὐτῷ ἰσ]οτέλε[ιαν].

[3] ib. 54 (Dittenberger, no. 78), 40 εἶναι δὲ αὐτῷ κα[ὶ ἀτ]έλειαν οἰκοῦντι Ἀθήνησι, l. 50 [ἰ]σοτέλειαν. Hicks, no. 91.

[4] CIA ii 86 (Hicks, no. 87; Dittenberger, no. 93), 31 ὁπόσοι δ' ἂν Σιδωνίων οἰκοῦντες ἐς Σιδῶνι καὶ πολιτευόμενοι ἐπιδημόσιον κατ' ἐμπορίαν Ἀθήνησι μὴ ἐξεῖναι αὐτοῖς μετοίκιον πράττεσθαι μηδὲ χορηγίαν μηδένα καταστῆσαι μηδ' εἰσφορὰν μηδεμίαν ἐπιγράφειν. H. Schenkl, *Wiener Studien* ii 189, observes: 'Temporis circumscriptio ipsius cuilibet homini Atheniensi suspicionem facere potuit, ne vacuum esset a ἐπιδημία, exemptio paulo praecipitata'.

[5] Hicks, no. 28 (Dittenberger, no. 40), 52, τοὺς δὲ ξένους τοὺς ἐν Χαλκίδι, ὅσοι οἰκοῦντες μὴ τελοῦσιν Ἀθηναίοις καὶ εἰ τι δέδοται ὑπὸ τοῦ δήμου τοῦ Ἀθηναίων ἀτέλεια, τοὺς δὲ ἄλλους τελεῖν ἐν Χαλκίδι καθάπερ οἱ ἄλλοι Χαλκιδέες. H. Schenkl, *l.c.* ii 189, inserts μὴ τελεῖν after ἀτέλειαν.

[6] H. Schenkl, *l.c.* ii 189, observes: 'numquam...eadem natura et immunitatem et μετοικίου immunitatem habuit...Immunitatem autem illam primitivam invalidam exemplum 11 (A ii 45) exigens, tandem ita certis certis certis'. (The remainder [illegible] change [illegible] the original by [illegible] in [illegible] the [illegible] of the [illegible] [illegible] in 411.)

[7] CIA ii 91 [illegible]

(1) A decree ascribed to B.C. 340–39, allowing the δῆμος of Tenedos temporary exemption from all dues payable by allies of Athens[1].

(2) A decree ascribed to B.C. 338–7, rewarding two Acarnanians for fighting on the side of Athens, probably at the battle of Chaeronea. It confirms an earlier decree granting the citizenship to their grandfather and his descendants, and allows their countrymen who fought on the same side permission to reside at Athens, free of the alien-tax, until their return to their own land[2].

(3) A fragmentary decree granting exemption to certain *proxeni*[3].

(4) Another granting complete exemption[4].

(5) A decree later than the Lamian war, granting exemption from the alien-tax to certain Thessalian exiles who were on the point of residing in Athens[5].

(6) A decree granting exemption to certain other exiles[6].

We have also several inscriptions recording the grant of *isoteleia* to foreigners[7].

It has been a subject of dispute whether the Athenians sanctioned any ἀτέλεια ἱερῶν, or exemption from sacrificial dues. The only passage bearing on this point in any ancient author is that in §§ 125—8, from which it may fairly be inferred that such exemption was not granted. An inscription quoted to the contrary simply provides that certain sacrificial dues, to which the members of the deme of Plotheia were liable, should be paid out of the public chest of the deme[8]. No ἀτέλεια ἱερῶν was thereby granted to the individual members of that body.

It has also been disputed whether they granted exemption from payments levied on merchandise, such as harbour-dues as well as export and import duties. All exports and imports were subject to a duty called the πεντηκοστή, a payment of one-fiftieth of the value, or two per cent. The point in dispute is perhaps best approached by considering the proposal of Leptines for the abolition of ἀτέλεια.

γέ[τας τοῦ δήμο]υ τοῦ Ἀθηναίων κ[αὶ εἶναι αὐτ]οῖς Ἀθήνησιν ἀτ]έλειαν καὶ γ]ῆς ἔγκτησιν κ.τ.λ. This inscr. is printed by Köhler next to one ascribed to about 356 B.C., and among those which, on the ground of the characters used, cannot be later than Ol. 106 (B.C. 356—353).

[1] ib. 117 [ἐν] δὲ τούτῳ τῷ χρόνῳ μὴ ε[ἶναι εἰσπρᾶξαι μήτ]ε στρατηγῷ μήτε ἄλλῳ [μ]η[θένι μήτε ἀργύριο]ν μήτε ἄλλο μηθέν. Hicks, no. 116.

[2] ib. 121 ἐπαινέσαι δὲ καὶ τοὺς [ἄλλ]ο[υς Ἀκα]ρ[νᾶνας τ]οὺς βοηθήσαντας μετὰ Φορμίω[νος κ]α[ὶ Κα]ρφ[ίνα καὶ] εἶνα[ι] αὐ[τ]οῖς ἕως ἂν κατέλθωσι[ν ἔγκτησιν ᾧν ἂν] ο[ἰκι]ῶν βούλωνται οἰκοῦσιν Ἀθήνη[σιν ἀτελέσιν μετοι]κ[ί]ου κτλ. Hicks, no. 118.

[3] ib. 131 ἀτ[έλειαν καὶ γῆς καὶ οἰκ]ίας ἔγ[κτησιν].

[4] ib. 144 ἀτέλειαν πά[ντων].

[5] ib. 222 [ἀτελέ]σ[ιν] τοῦ μετοικίου.

[6] ib. 224 τὴν ἀτέλ[ειαν].

[7] ib. 97 *c*; 279 [ἰσ]οτέλεια...καὶ Φανοστράτ[ῳ]; 279 *b*; 360: 413; 501 (referred to by Thumser, p. 136 n.).

[8] CIA ii 570, 31 (ἐς τἄλλα ἱερὰ) ἐκ τοῦ κοινοῦ τοὺς ἄρχο[ντας ο]ἳ ἂν ἄρχωσι τοῦ ἀργυρίου τοῦ ἐς τ[ὴν ἀτέ]λειαν τελεῖν ὑπὲρ τῶν δημοτῶν. Thumser, p. 124 f.

Did the proposed grant of the ἀτέλεια of every kind at Athens consist solely in the abolition of exemption from the regular λειτουργίαι? The former is the view of Boeckh, the latter is that of Schömann[1] and Arnold Schaefer[2].

The opinion of Boeckh rests on the assumption that Leucon enjoyed exemption from the payment of customs at the harbours of Athens. This assumption is probably correct, but it is sometimes supposed that, in the passage in which this seems to be stated, Athens bore two different meanings according as it is evident to Leucon and to the Athenians themselves (§ 21). The point of the passage as explained by Benseler[3], is that, while Leucon enjoyed exemption from all the regular λειτουργίαι, the Athenians enjoyed in the harbours of Leucon's dominion a corresponding exemption from the payment of customs. Again, in § 25 we are told that the ἀτέλεια would in no way affect the public revenues,—which would be untrue if it included exemption from the payment of customs. Lastly, in §§ 128–130, Demosthenes implies that, apart from the regular λειτουργίαι, the only service from which exemption could be granted at Athens was the payment of the aliens' tax. Had exemption from customs been possible at Athens, Demosthenes, it is argued, could not have omitted to refer to such exemption. Even if we can draw no certain conclusion from the silence of Demosthenes in this passage[4], the argument from § 25 is by some considered sufficient to settle the point at issue.

On the whole we may fairly agree in the view that, neither in the speech against the law of Leptines, or elsewhere, is there anything to prove that at Athens exemption from the payment of customs was actually prohibited by law. At the same time there is nothing to prove expressly that such exemption was allowed. But we may well suppose that, in the case of Leucon, this exemption was actually granted. My own belief is that the law of Leptines was intended simply to abolish ἀτέλεια λειτουργιῶν and that it was only owing to careless drafting that it

[1] *Public Economy* I xv p. 108[3]. 'ἀτέλεια has very many significations. It is either a general immunity (ἀτέλεια ἁπάντων), or immunity from the liturgiae, or from the payment of certain customs, and other taxes. The general immunity from the payment of taxes was given by the Athenians for example to the Byzantines and Thasians, who had been compelled to abandon their country, and were aliens under the protection of Athens in the time of Thrasybulus (§§ 29, 60), and to Leucon, lord of Bosporus, together with his sons. To Leucon was also granted immunity from the payment of customs (§§ 20, 40). That he enjoyed an immunity from the payment of customs is evident from the connecting together of the immunity granted to him and his sons with that granted by him to all the Athenians (§ 21).'

[2] *Opusc. Acad.* 1 145, 'Leptinem de immunitatibus quibusdam sustulisse.'

[3] *Zeitschr. f. d. Alterthumsw.* 1842, 'Die Befreiung von den Liturgien aufgehoben.'

[4] *Einleitung*, p. 6.

[5] *Theorod.*, p. 1961.

gave Demosthenes an opening for arguing that it touched the privileges of the prince of Bosporus (§ 29).

The evidence of inscriptions relating to Athens supplies us with only two uncertain instances of exemption from customs, but the inscriptions in question are too imperfect to warrant our placing implicit reliance on them[1]. As observed by Westermann[2], the decree in favour of the Sidonians (quoted on p. xv) says nothing of exemption from 'customs', so that there is no warrant for connecting it in any way with the widest possible interpretation of ἀτέλειαν ἁπάντων in § 60, namely that which makes it include exemption from customs. The phrase implies the existence of different degrees of ἀτέλεια, but there is no conclusive proof that any such exemption from customs was granted at Athens. At any rate, we have no right to infer it from the analogy of other states, e.g. the Cretan town of Minoa, CIG 2558 ἀτέλειαν ὧν ἂν εἰσάγωσι καὶ ἐξάγωσι, and Odessos, ib. 2056.

§ 4. *The law of Leptines.*

We have now reviewed the various public services known as λειτουργίαι, and have noticed that they were almost exclusively connected with the festivals of the state. Something also has been said respecting the instances in which the state granted a complimentary exemption from those services.

It will be remembered that the proposal made by Leptines was that, except in the case of the descendants of Harmodius and Aristogeiton, every exemption of this kind was to be abolished and no such privilege was to be granted in future either to a citizen or to a resident-alien.

The proposal was pushed forward with great haste, and, according to Demosthenes (§§ 90–97), the preliminary stages required by the law of Athens were neglected. The regular course of Athenian legislation cannot be better described than in the following extract from the great work of Schömann on the *Antiquities of Greece*:—

'The legislative power, according to the mode of procedure which still existed in the time of Demosthenes (though no doubt it was often departed from), was exercised, not, properly speaking, by the popular assembly itself, but, after the question had been previously raised before the people and received its assent, by

[1] Thumser, p. 131, quotes CIA ii 421 *a* 15 αὐτῷ ἀτέλειαν τῶν ε[ἰσαγομένων], in the decree in honour of Miltiades son of Zoilus, and 491, 8 [ἐ]ξαγωγὴν καὶ ἀτ[έλειαν]. Cf. 144, 5 (a very fragmentary inscr.) ἀτέλειαν πά[ντων]. See also Caillemer's art. on ἀτέλεια in Daremberg and Saglio's Dict.

[2] *Einleitung*, p. 189 note, ed. 6.

a legislative commission deputed for the purpose, the so-called Nomothetæ. The procedure was as follows:—In the first popular assembly of the year, the question was put to the people, whether it would permit motions to be made for the alteration and extension of the existing laws or not. As need hardly be shown, this question of necessity gave rise to debates, some recommending, on grounds of utility or necessity, the permission of such motions, others dissuading from them. If the people declared itself in favour of giving the permission,—which was the case almost on every occasion,—nothing further was at once decided, excepting that those whose intention it was to make such motions were henceforward entitled to bring them forward in proper form.

'For this object it was necessary for them to post their motions, first of all, in the market, by the statues of the ten Eponymi, so that every one might be made aware of them. This done, the nomination of the legislative commission, or Nomothetæ, was dealt with in the third regular assembly. This commission was taken from the number of the Heliastæ of the year, and was accordingly composed of men who had taken the oath, and were over thirty years of age. More detailed statements on the manner of their nomination,—whether it was by lot or by election,—are not given us: we learn only that the people had to decide on the number, on the time for which they should be nominated,—which was on each occasion determined according to the quantity and nature of the legislative motions brought before them,—and from what funds the payment to be made to them should be taken. Before the Nomothetæ were nominated, and until they began their sittings, the motions brought forward—although they were already made accessible to the knowledge of every individual by being posted at the statues of the Eponymi—were also read publicly in every popular assembly, in order that there might be more certainty of their being generally known.

'Before the Nomothetæ the proceedings were conducted exactly in the manner of a law-suit. The movers, who wished to see old laws repealed, altered, or replaced by new laws, came forward as accusers of these laws: those who wished to see them maintained without change, appeared as their defenders: and that there should be no lack of a proper defence of the existing law, or of resistance of innovations, a number of synegori or public advocates of the existing law were chosen, to whose number, however, others might voluntarily attach themselves. The presidency in the commission of Nomothetæ is stated by a professedly ancient authority to have been taken by the Proedri: a statement which it is difficult to believe, if the term denotes the nine members of the Council who were chosen by lot for every sitting of the Council or Assembly of the People. It is much more probable that the Thesmothetæ presided here, as they did in the hearing of a γραφὴ παρανόμων[1]. The number of the Nomothetæ was not always the same, but was fixed according to the number or importance of the laws to be dealt with before them: we find mention of a thousand or a thousand and one. According to the authority we have mentioned, they, like the popular assembly, voted by show of hands,

[1] [The statement in the law quoted in *Timocr.* § 33, διαχειροτονίαν δὲ ποιεῖν τοὺς προέδρους περὶ τούτων τῶν νόμων, is confirmed by (i) CIA ii 115 *b* = Dittenberger, no. 105, 40 ἐν δὲ τοῖς νομοθέται[ς] τ[οὺς προέδ]ρους οἱ ἂν προεδρεύωσιν [καὶ τὸν ἐ]π[ισ]τάτην προσνομοθετῆ[σαι. (ii) a decree of B.C. 335 in the Ἐφημερὶς ἀρχαιολογικὴ 1885, 131 τ]οὺς προέδρους οἱ ἂν λάχωσι[ν προεδρεύειν πρῶτον εἰς τοῦ]ς νομοθέτας προσνομοθετῆ[σαι. (iii) Aeschin. 3 § 39 τὸν δ' ἐπιστάτην τῶν προέδρων διαχειροτονίαν διδόναι τῷ δήμῳ. The last two words are bracketed by Schöll (*über attische Gesetzgebung*, p. 117) who quotes in full and discusses all these passages.]

and not, like the courts of justice, by ballot: but this also deserves no credence. Against a law approved by them, as against the resolutions arrived at by the popular assembly, a γραφὴ παρανόμων could be entered, especially, though not perhaps exclusively, in the case when the prescribed form of procedure had not been sufficiently observed.

'The institution of this procedure is ascribed by the ancients to Solon: a statement which no one will understand to mean that each single particular in its provisions originated with him. These belong in part clearly to a later time: as may be proved, passing over other evidence, merely by the mention of the Eponymi, since these did not yet exist in Solon's time. But for refusing to ascribe the essential part of the institution to Solon there is no rational ground. The essential part, however, consists in the fact that the work of legislation is intrusted not so much to the general assembly of the people, as to a narrower selected body of men of mature age, bound by an oath: nothing more being permitted to the former than the mere decision of the question whether motions relative to legislation should be permitted or not: as also in the fact that the permission to bring forward such motions might be sought, not at any time that the mover chose, but only once in the year, while it was endeavoured in every possible way to secure the greatest publicity for the motions, and the permission to introduce them was not granted without a mature consideration of their merits: finally, in the regulations providing that when the case was actually before the Nomothetæ, the motions which the people had permitted to be introduced should nevertheless be combated on the part of the State, by means of counsel expressly chosen for the purpose; that the existing laws should be protected against innovations; that no existing law should be merely repealed without being replaced by a new law recognised as better; and that no new law should be introduced without the old law in opposition to it being expressly abrogated.

'All these regulations may safely be looked upon as due to Solon: they testify to the wisdom of the lawgiver, the wisest man of his time, who, foreseeing that alterations of the laws would necessarily come about, provided that they should not be undertaken lightly, nor without the most comprehensive and careful examination, and that they should create neither gaps nor contradictions in the system of legislation. But as, in the course of time, the democracy became stronger and stronger, the sovereign people became less and less inclined to bind itself strictly to these regulations. The abuse crept in of bringing forward legislative motions in the assembly no less than any other kind of proposals at any time that was found convenient, and without the regular practice of causing a committee of Nomothetæ chosen from the assembly itself to pass a decision upon them. Accordingly, there arose a vast mass of new laws of all kinds, in correspondence with the interest of the popular leaders of the period. Such confusions and contradictions were thus produced in the system of legislation that it was several times found necessary, for the purpose of restoring order and harmony, to nominate special commissions; who, however, as Demosthenes says, were quite unable to get through their work. The Thesmothetæ, moreover, as the magistrates who were most variously concerned in dealing with the laws, were directed to note the irregularities and contradictions which they perceived in the laws during their tenure of office, and to report to the people thereupon. This they probably did towards the end of their year of office, when the report was publicly posted at the statues of the Eponymi. They might also suggest proposals for amendment, which at the beginning of the next year, in the manner described above, came before the

popular assembly, and then, with its consent, before the Nomothetæ to be dealt with by them[1].'

The procedure in the case of the proposal of Leptines was irregular and unconstitutional. Some at least of the preliminary forms had apparently been neglected and probably the proposal had been brought immediately before the general assembly instead of being in the first instance brought before the *Nomothetae*[2].

But the proposal in itself was certain to be popular. It promised in a thoroughly democratic spirit to remove invidious inequalities; to alleviate the burdens which pressed heavily on some of the poorer citizens who had not the advantage of exemption from them; and, by doing away with the privileges of some of the wealthier members of the community, to add a new splendour to the public festivities[3]. The grounds on which Leptines commended his law to the people may be inferred from the speech of Demosthenes. Their general drift may be expressed as follows.

Our resources have lately been severely tried by our endeavours to repress the revolt of our confederates; our treasury is empty and our citizens are exhausted by the burden of taxes for the war (§ 24). There is every prospect of our public prosperity being further impaired; and, meanwhile, the dignity of our sacred festivals will suffer in consequence of the impoverishment of our people. The burden of keeping up these festivals falls far too much on the poorer classes, while some of the wealthiest citizens and resident-aliens enjoy complete exemption. The fact is, there are too many of these privileged persons, and we shall soon find that we shall have too few to undertake the duties in question. Those of the wealthier classes who are at present exempt should be compelled to take their turn in the expenses of the public festivals, and so provide a respite to persons who are at present over-burdened (§ 18). This invidious distinction is often conferred on those unworthy of it (§§ 1, 97, 131, 137 &c.); and, to prevent pressure being put upon us by interested persons in the future, we must put an end to this privilege for ever. The only exception we can allow is in the case of the descendants of those who set us free from the tyranny of the Peisistratidae and first gave us the blessings of a democracy. This particular distinction is unknown in other states. Thebes and Sparta manage to do without it (105—111); and Athens herself had no occasion for it in ancient times (112—115). The age in which her annals were most glorious was that in which the rewards of public service were of the simplest kind. We do not propose to touch any of the other distinctions by which the state recognises merit. We are glad that merit should have its due reward, whether it be the distinction of a public statue or the privilege of dining in the town-hall at the public expense (120). But this particular distinction we must now resume, and we must also deny ourselves the right of conferring it in the future. It must be remembered lastly that our public festivals are closely bound up with religious associations. Exemption from the charges connected with them is

[1] Pp. 387—390 of Hardy and Mann's translation. See also Schöll, *iiber attische Gesetzgebung*, Munich, 1887; and Tarbell in *American Journal of Philology*, 1889, x 79—83.

[2] Schömann, *de causa Leptinea*, in *Opusc.* i 236 ff.

[3] Curtius, v 235 f. Ward.

exemption from religious duties. And it is surely wrong, not to say impious, for any one to refrain from taking his proper share in the maintenance of the religious rites of the state (125)[1].

Arguments such as these led to the proposal of Leptines being approved by the general assembly, especially as the proposal had the support of several of the most influential politicians of the time. It was not long, however, before the law was attacked by a γραφὴ παρανόμων, on the ground of its having been passed in an unconstitutional manner[2]. This attack was made by three several citizens, Bathippus and two others whose names are unknown. Bathippus died before the trial came on. Of the two others, so far as we can gather from the insinuations of Demosthenes, one was persuaded by Leptines to drop the case, and the other had originally been suborned by Leptines himself to make a mere pretence of opposing the law (145).

§ 5. *The opposition to the law of Leptines.*

Leptines, as the mover of the law, was personally responsible during the year in which the law was approved by the people (144). But the year came to an end, and Bathippus was dead; any further proceedings under the γραφὴ παρανόμων would have to be directed not against the proposer of the law, but against the law itself. In the former case the proceedings would have been described as directed κατὰ Λεπτίνου, Leptines being the individual actually prosecuted, in the latter as πρὸς Λεπτίνην, Leptines being interested as the supporter of his own law, without being directly attacked[3]. The distinction is similar to that which prevails in Latin between *in* and *adversus*. The speech is sometimes quoted by ancient writers under the title ὁ περὶ τῆς ἀτελείας[4] (λόγος) or ὁ περὶ τῶν ἀτελειῶν[5]. The complete designation would be Δημοσθένους ὁ περὶ τῆς ἀτελείας πρὸς Λεπτίνην, instead of which the MSS generally use, as a shorter title, either πρὸς Λεπτίνην· περὶ ἀτελείας (as in the MS L in the Laurentian library at Florence), or περὶ τῆς ἀτελείας πρὸς Λεπτίνην (as in the Paris MS)[6]. Leptines himself being now safe from direct attack,

[1] A. Schaefer, *Dem.* i 394[2].

[2] Meier and Schömann, p. 428 Lipsius.

[3] Arg. 2 init. Cf. Isaeus 11 § 34 μήτε πρὸς ἐμὲ μήτε κατ' ἐμοῦ δίκην εἶναι φησι τῷ παιδί. Meier and Schömann, p. 203 Lipsius.

[4] ἐν τῷ περὶ ἀτελείας (Hermogenes, ii 431 Sp), ἐν τῷ περὶ τῆς ἀτ. (ib. 446).

[5] Plutarch, *Dem.* 15.

[6] The point of the story preserved in the *Violarium* of Eudocia (written in the eleventh century) turns on the title of the speech: περὶ Ἀπολλωνίου τοῦ Ἀθηναίου ῥήτορος·—πρεσβεύων δὲ παρὰ Σέβηρον ἐν Ῥώμῃ τὸν αὐτοκράτορα, ἀπεδύσατο πρὸς Ἡρακλείδην τὸν σοφιστὴν τὸν ὑπὲρ μελέτης ἀγῶνα· καὶ ἀπῆλθεν, ὁ μὲν τὴν ἀτέλειαν ἀφαιρεθείς, ὁ δὲ Ἀπολλώνιος δῶρα ἔχων. διαδιδόντος δὲ τοῦ Ἡρακλείδου λόγον οὐκ ἀληθῆ ὑπὲρ τοῦ Ἀπολλωνίου, ὡς αὐτίκα δὴ βαδιουμένου εἰς Λιβύην, ἡνίκα Λεπτίνης ἦν αὐτοκράτωρ ἐκεῖ, καὶ τὰς ἐξ ἀπάσης γῆς ἀρετὰς συνῆγε, καὶ πρὸς αὐτὸν εἰπόντος, ὥρα σοι ἀναγιγνώσκειν ΤΟΝ ΠΡΟΣ ΛΕΠΤΙΝΗΝ· σοὶ μὲν οὖν, ἦ δ' ὁ Ἀπολλώνιος, καὶ γὰρ δὴ καὶ ὑπὲρ ΤΗΣ ἀτελείας γέγραπται (Villoisin's *Anecdota* i p. 58).

proceedings were instituted against the law of Leptines, with a view to preventing its final ratification. It is clear from several phrases in the speech of Demosthenes that the law was not yet in actual force. In § 134 the orator draws attention to the harm that will result *διὰ τοῦ νόμου κυρίου γενομένου*, which means the same as *ἐὰν κύριος γένηται* and is equivalent to *ἐὰν ὁ νόμος τεθῇ* in § 20, and *εἰ...τὸν νόμον ποιήσετε κύριον* in § 139. Similarly in § 143 *εἰ δὲ φανήσεται σπουδάζων καὶ διατεινόμενος κύριον ποιῆσαι τὸν νόμον*. Further, the *ἀτελεῖς* are described as still in formal possession of their privilege[1].

The prosecution was instituted under a *γραφὴ παρανόμων* by a son of Bathippus, named Apsephion[2] (144). The date of the prosecution, as will appear from the historical allusions which must be noticed at a later point, was Ol. 106, 2 = July 355—June 354 B.C. The young Ctesippus, son of the Athenian general Chabrias, was interested in the proceedings, in so far as he inherited the *ἀτέλεια* granted to his father, and would lose this privilege in the event of the law being finally ratified. Ctesippus was apparently under age and therefore could not take any direct part in the prosecution. Apsephion was represented by one Phormion, an orator otherwise unknown to us; and the arguments of Phormion were followed on the same side by the speech which has come down to us as the work of Demosthenes.

The law was attacked on the ground of its being contrary to existing laws, in so far as there was a law ordaining that the bounties granted by the people were to remain unimpaired (96). The prosecution also proposed an amendment which was to take the place of the law of Leptines in the event of that law being rejected. The purport of this amendment was that, in accordance with the existing law, the privileges granted by the people should remain in full force in the case of all who were worthy to retain them, but that, if any person were proved to have obtained these privileges dishonestly or to have shewn himself unworthy of them, he should be deprived of his privilege, after his case had been duly investigated (97 f.).

In the regular course the case came for a preliminary hearing before the six junior archons, the *θεσμοθέται* (98) who also presided at the ultimate hearing of the case. As Leptines was no longer personally responsible for the law, it was defended by speakers specially appointed by the state. Foremost of these, of course, was Leptines, who was naturally interested in maintaining the lawfulness and expediency of his own proposal. The others were orators of some note, namely Leodamas, a pupil of Isocrates and, according to Aeschines (3 § 138), as able

[1] Westermann, *Einl.* p. 190, ed. 6. [2] Schömann, *Opusc.* i 239 f.

an orator as Demosthenes; Aristophon, who by the overthrow of Callistratus had become the foremost man in Athens and was not superseded by Eubulus until shortly after this time; and Cephisodotus, who had been one of the envoys who negotiated peace with Sparta in 371. To these was added a liberal benefactor to the state, bearing the name of Deinias.

In such a case, it was the duty of the first speaker on the side of the prosecution, to justify the charge and to prove the illegality of the law in question. Apsephion, the promoter of the prosecution, probably said a few words and simply laid his proposed amendment formally before the court. A set speech was then delivered by Phormion the contents of which are partly indicated in the subsequent speech of Demosthenes.

Phormion must have dwelt on the injustice of doing away with the privileges of all, in consequence of the demerit of a few (§ 2), and had doubtless appealed to the law providing that bounties granted by the people should remain in perpetuity (96). He had also shewn that it was illegal to prevent the people from granting exemption in future,—illegal to make the descendants of Harmodius and Aristogeiton the sole exceptions to this rule. This he had proved by appealing to the decree proposed by Demophantus after the deposition of the Thirty, and solemnly sanctioned by the people, whereby it was provided that if any one fell in the defence of the democratical constitution of Athens, he should be rewarded by the same bounties as had been assigned to Harmodius and Aristogeiton (159). It had also been the duty of Phormion to argue in favour of the provisions of the amendment proposed by Apsephion (97), to declare that that amendment was proposed in perfect good faith and not merely for the sake of a passing advantage, and to promise that it would not be withdrawn when it had served its purpose (100). Phormion had also recounted the occasions in former times when the state had reaped great advantage from its benefactors, whom it would be wrong to deprive of the rewards they had received (51).

These indications of the general purport of the speech are in close agreement with the view of the rhetorician Hermogenes[1] who states that Phormion divided the arguments of his speech under the heads of (1) justice, (2) expediency, (3) honour, (4) the merit of the recipients; but there is no sufficient reason for supposing that he was led to hold this view by an actual perusal of Phormion's speech.

Phormion was followed by Demosthenes, who has generally been regarded as appearing on behalf of Ctesippus son of Chabrias. It has even been supposed, according to a view mentioned in Plutarch's Life of Demosthenes, that the orator's interest in the son was inspired by his interest in the mother. But Plutarch mentions this only to add that Demosthenes did not marry her[2]. It is open to question whether the orator

[1] *π. μεθ. δειν.* 24 p. 429, ap. A. Schaefer, *Dem.* i p. 398 n.

[2] p. 853 A *τὸν κατὰ Ἀριστογείτονος αὐτὸς ἠγωνίσατο, καὶ τὸν περὶ τῶν ἀτελειῶν διὰ τὸν Χαβρίου παῖδα Κτήσιππον, ὡς φησιν αὐτός· ὡς δ' ἔνιοι λέγουσι, τὴν*

really appeared in any technical sense as the representative of Ctesippus. It is true that the wrong which would be done to the son of that famous general is put in the forefront of the reasons that prompted the orator to come forward. It is also true that one of the most glowing passages in the speech itself is that in which he expatiates on the father's services to Athens. Ctesippus was apparently either a minor or had only just come of age, and there is no actual proof that either he or his representatives took any direct part in the proceedings for the prosecution of the law.

Some of the peculiarities of the speech are doubtless due to the fact that it is a δευτερολογία[1]. Many of the most obvious arguments had been anticipated. It is probably to this cause that we must ascribe the subordination of the legal argument to the moral grounds for resisting the law of Leptines.

Demosthenes at once joins issue with the main argument on the side of Leptines, and declares that he has been prompted to oppose the law chiefly because its abrogation was *expedient* for the state. He also insists that a slur is cast on the people by depriving them of their right to grant exemption from the public burdens, merely because they had sometimes been deceived as to the character of the recipients. On such a plea as this, they might be deprived of their constitution itself (1—4). It was more expedient for the state, that a few of those who receive her honours should be unworthy of them, than that she should have no honours to grant even to those who were worthy: in the latter case, they would be doing away with an important stimulus to patriotism (5—7). For the people to revoke their own gifts would be a serious breach of public faith. It would be discreditable for those who enjoin honourable dealing in the transactions of every-day life, to abandon that principle in matters affecting their national interests (8—9). Such a course was inconsistent with the best traditions of the past, for, up to that time, the state had set honour and good faith above all pecuniary considerations (10—14). The gifts granted by democratical governments had heretofore been deemed more secure than those granted by absolute monarchs or by oligarchs. The law of Leptines deprived them of that distinction and did away with an important safeguard of the constitution (15—17). The gain which would accrue from abolishing the exemptions had been much exaggerated. It would be urged that the poor would be relieved by the burden falling in future on the rich. But the number of those at present exempted was small; and, if a few of the wealthier citizens were now exempt from the ordinary burdens, they were called upon to contribute to the war tax and the trierarchy and by such contributions were *ipso facto* exempt from the ordinary burdens (18—23). The state treasury was, to be sure, empty; but the abolition of these exemptions would not fill it. Of the two great advantages, wealth and good credit, the state no longer enjoyed the former. Was it expedient that she should also lose the latter? (24, 25). The respite which

μητέρα τοῦ νεανίσκου μνώμενος· οὐ μὴν ἔγημε ταύτην κτλ. quoted by Wolf, p. 29 ed. Bremi, who also refers to the scholium on p. 477, 12. He points out, however, that Deinarchus says nothing about this in his attack on Dem. p. 74, where he mentions his having received payment for writing speeches ὑπὲρ Κτησίππου καὶ Φορμίωνος.

[1] Schol. *ad init.* πᾶσα δευτερολογία ἐπ' ἐλάχιστον ἀσχολεῖται περὶ τὰς προοιμιακὰς ἐννοίας...ἡ δὲ νῦν ἐξεταζομένη δευτερολογία σχεδὸν τὰ ἀναγκαιότατα τοῦ ἀγῶνος περιλαμβάνουσα ἔχει.

certain persons enjoyed at present was really for the permanent advantage of the state as a whole; while the money they would spend on public festivals would only benefit a certain number of the citizens for a limited time (26—28).

The law, as drafted, deprives many distinguished benefactors of the rewards granted for their services to the state. Among those of other lands is Leucon, prince of Bosporus, from whose country Athens imports a large portion of her supply of corn, free of duty, and this advantage could hardly be retained, if he were deprived of his honours (29—40). Then again, there was Epicerdes of Cyrene, who was a benefactor of the state at a most critical time (41—50). Further, there were those at Corinth (51—57), Thasos and Byzantium (58—63), who had prompted their fellow-citizens to make common cause with Athens against Sparta, and who were exiled from their homes and would now (in their own persons or in those of their descendants) be deprived of the reward of their services (64—66). Passing next to the Athenians who enjoyed the exemption, he dwells in glowing terms on the exploits of Conon (67—74) and Chabrias (75—87).

We now reach the second great division of the speech (§§ 88—167), which is reserved for the discussion of the legal issues that arise in the case.

The orator now contrasts the terms of the law of Leptines with those of the amendment introduced by himself and his friends, which, while avoiding the injustice of the former, provided legal means for removing the names of any who were found unworthy of the exemption they enjoyed. Their own procedure had been strictly constitutional, which was not the case with that adopted on the other side. He also insists that their own proposal is made in perfect good faith and pledges himself to bring it definitely forward, if the law of Leptines is repealed (88—101). Leptines in his legislation has not only neglected various legal precautions, but has proved how little he understands the spirit of the laws of Solon (102—4).

The orator next refutes by anticipation certain other arguments derived from the laws and customs of Sparta and Thebes, which grant no such exemption, but award other honours, which are inconsistent with the democratical constitution and the very different temper of the citizens of Athens (105—111). If it was urged that Athens herself in former times did not resort to this particular form of reward, it was to be remembered that she then conferred other honours which were suited to the spirit of the time (112—7). The court is solemnly reminded that it has to decide the issue in accordance with the laws, the existing laws, of Athens, and not according to those of any other state or any former time (118—9).

There were other distinctions, doubtless, such as crowns, and statues, and maintenance in the Prytaneum, which Leptines left untouched; but it was desirable to maintain *all* the various forms of public distinction, so that the honour in each case might be duly apportioned to the merit of the recipient. The abolition of any one of these distinctions would shake the confidence of those who were ready to serve the state (120—4).

Leptines would urge that the services connected with the public festivals had a sacred and a universally obligatory character; but it was impious to resort to such an argument as a reason for a breach of good faith. That the services in question are not religious rites is clear from the fact that the descendants of Harmodius and Aristogeiton are exempt from the former but not from the latter (125—130).

It would also be urged that there are many foreigners who claim exemption under false pretences. Let the decrees in their favour be produced. It would be found that

the position of *proxenos* had been sometimes bestowed on unworthy persons, but this must not be confounded with the grants of exemption. At this point the orator adroitly refers once more to the case of Chabrias, whose slave had been honoured as *proxenos* (130—3).

Thus far it will be observed that the orator has pointed out that the law of Leptines is an attack on the sovereign power of the people (1—8), is inconsistent with the honour and the traditions of Athens (8—17), is inexpedient (18—28), that it touches the interests of persons whom it is impolitic and unjust to deprive of privileges which have been fully deserved (29—87), and lastly that it is illegal (88—133). But while the argument falls more or less distinctly under these various divisions, there is one plea that is urged with the greatest persistence, and that is the discredit that the law will bring on the good name of Athens[1].

In the sequel of the speech, the same point is repeatedly urged. The orator appeals to the honour of his fellow-citizens, and implores them not to injure the reputation of Athens, simply to enable Leptines to wreak his spite on some of his private enemies (134—142).

He also appeals to Leptines himself, suggesting that it would be better for him to abandon the defence of his law than to incur the imputation of having no desire on his own part to be rewarded as a benefactor of his country (143—5). He then reviews the antecedents of the rest of those who have been retained to defend the law —Leodamas, Aristophon, Cephisodotus, Deinias; and respectfully urges special reasons against each of them, adding an objection which applies to all, namely that they had served as syndics before, so that their re-appointment was, strictly speaking, illegal (146—153).

Approaching the close of his speech, he criticises the terms of the statute on the ground that it enacts several penalties for the single offence of petitioning the people for a privilege, whereas the law expressly provides that for any offence there shall not be more than one penalty (154—6). The statute treats those who ask for such a privilege more severely than homicides are treated by the laws of Dracon (155—9). Lastly, it binds the people for ever, although it is impossible to foresee the future. The time might come when Athens might again have need of benefactors like Harmodius and Aristogeiton; and the uncertainty of events may be learnt from the present position of Sparta and from the recent history of Syracuse (160 2).

The peroration gives a short and vigorous summary of the objections to the law of Leptines on general grounds of public morality (163—7).

§ 6. *Date of the speech of Demosthenes.*

The speech has a special interest in connexion with the public career of Demosthenes. Born about the year 384, he had early experience of the law courts of Athens when he appeared to plead his cause against his guardians in 363. The speeches against his guardians, however, were speeches delivered in a private cause alone. The earliest

[1] Weil, p. 8.

forensic speech that he composed in a public cause was that against Androtion, B.C. 355; this, however, was written for delivery by another. The speech against the law of Leptines was the first delivered by the orator in person in a forensic cause connected with matters of public importance; and it was followed in 354 B.C. by the speech *περὶ τῶν συμμοριῶν*, the first in which he appears as an adviser of the people in a strictly political harangue.

That the speech was delivered by the orator himself has hitherto been the universal opinion. An argument, however, has recently been founded by Blass on the words *τοῦ παιδὸς εἵνεκα τοῦ Χαβρίου* in § 1, to the effect (1) that Ctesippus was a child, (2) that Demosthenes was not entitled to represent him, and therefore (3) that the speech was not delivered by Demosthenes[1]. But, even admitting his contention that, in the Attic orators, *παῖς* can only mean 'a child', and is not used as a synonym of *υἱός*, it is not absolutely necessary to hold that the speaker was the legal representative of Ctesippus, though such a view is obvious and natural. It is possible that the speaker had some special reasons for taking an interest in Ctesippus without being his legal representative. The point suggested by Blass deserves careful consideration, but on the other hand we cannot lightly set aside the statement of so competent an authority as Dionysius of Halicarnassus, who, in contrast to the *Androtion*, *ὃν γέγραφε Διοδώρῳ*, mentions the *Leptines* as a speech *ὃν αὐτὸς διέθετο*[2].

According to Dionysius, the speech belongs to the same year as that against Androtion, namely the year of the archonship of Callistratus, Ol. 106, 2 = B.C. 355—4. This statement is in accordance with all the historical indications in the speech itself.

As regards Athens herself, we find the measure proposed by Periander respecting the trierarchal symmories still in force (§ 23). The date of that measure was Ol. 105, 3—4 = B.C. 357. The death of Chabrias is described in terms implying that it was a recent event. The date of that death was Ol. 105, 4 = B.C. 357. There is nothing to shew that the Social War (357—5) is still going on; on the contrary, the perils of war are repeatedly described as likely to recur in the future; and, meanwhile, the treasury is exhausted (§§ 24, 115). Thus the speech cannot have been delivered at an earlier date than after the end of Ol. 106, 1, which corresponds to June 355 B.C.

Even as in the *Androtion* the exploits of Conon and his son Timotheus are commemorated in more than one passage (§§ 14, 72), so in the

[1] *Jahrb. f. Philol.* 1887, p. 717—720.

[2] ad Ammaeum i 4 *καὶ κατὰ τὸν αὐτὸν χρόνον ἕτερος ἐπὶ Καλλιστράτου ἄρχοντος, ὁ περὶ τῶν ἀτελειῶν,...ὃν αὐτὸς διέθετο* (=*ἀπήγγειλεν* in § 2).

Leptines (§§ 69, 74) we have a eulogy of Conon's services to the allies of Athens, expressed in terms that are equally true of Timotheus. We have also an emphatic reference to Iphicrates and Timotheus as benefactors of Athens (§§ 84—86). These passages acquire a fresh significance in connexion with the charge of high treason brought against Iphicrates, Menestheus and Timotheus by Aristophon, one of the defenders of the law of Leptines (§ 146). The trial of these generals probably began in Ol. 106, 3 = 354.

As regards external affairs, we find Leucon, prince of Bosporus, still in power. If the speech was delivered in 355, the great consignment of corn, sent by Leucon to Athens in the second year before the delivery of the speech, belongs to B.C. 357. This corresponds to the outbreak of the Social War, a time when such a benefaction on the part of Leucon would be specially welcome. Leucon lived until 347.

Philip of Macedon had already secured possession of Pydna and Potidaea (§§ 61, 63). Potidaea was captured in the beginning of Ol. 106, 1 = 356. The Thebans, against whom Demosthenes expresses himself with much bitterness (109), had by their arrogant conduct given occasion to the Sacred War in Ol. 106, 2 = 355, and we learn from the treatise of Xenophon on the Revenues (5, 8 f.) that these recent events were already exciting much interest in Athens at the time. Lastly, Dionysius the younger has been banished from Sicily by Dion. This event belongs to Ol. 106, 1 = 356. Dion himself was slain in 353.

All these indications point to the time between the first and third years of the 106th Olympiad, and serve to confirm the statement of Dionysius, that the speech against Leptines was delivered in Ol. 106, 2 : 355—4[1].

§ 7. *The result.*

We are naturally interested to learn, if possible, what was the result of the attack on the law of Leptines; but on this point there is little evidence to guide us, and consequently it is difficult to arrive at a definite conclusion. The rhetorician Dion Chrysostom, writing in the times of Trajan, refers to the speech as follows:

'One Leptines introduced a law, proposing the withdrawal of the exemptions from those who held them at the hands of the people, except in the case of the descendants of Harmodius and Aristogeiton, and enacting that in future it should not be lawful to grant this bounty to anyone. What then? Can it be that the Athenians accepted the law? No! On the contrary, it was condemned in a public prosecution[2].'

[1] A. Schaefer, *Dem.* i 415—7[2].

[2] Dion Chr. 31, 128 p. 350 M. Λεπτίνης τις εἰσήνεγκε νόμον, ὡς χρὴν τὰς ἀτελείας ἀφελέσθαι τοὺς ἔχοντας παρὰ τοῦ δήμου δίχα τῶν ἀφ' Ἁρμοδίου καὶ Ἀριστογείτονος, καὶ μηκέτι τὸ λοιπὸν ἐξεῖναι δι-

It has sometimes been supposed that Dion meant to say that it was Leptines, and not the law of Leptines, that was condemned after a public trial; in other words that ἑάλω γραφῆς has for its subject Leptines, and not ὁ νόμος. And it has hence been argued that Dion's testimony is invalidated by his supposed ignorance of the legal issue involved. But it is more natural to regard the law, and not the legislator, as the subject of the sentence[1]; and even if it were otherwise, such a merely technical inaccuracy of statement in an incidental remark would not necessarily make his testimony incredible. It is just possible that he preserves for us a true tradition as to the result which may have reached him through the medium of some authority now lost to us. Dion's statement is accepted by Westermann, Arnold Schaefer and Dareste.

The authority of Dion has, however, been materially shaken, in the opinion of some scholars, by an ancient inscription copied by Christopher Wordsworth who describes it as 'inserted in the outside of the southern wall of the Acropolis to the west of the Theatre'. This inscription, which unfortunately has since disappeared[2], he prints and translates, with some obvious restorations, as follows:

[ΚΕΚ]ΡΟΠΙΣ ΓΑΙΔ[ΩΝ ΕΝΙΚΑ]
[ΚΤΗ]ΣΙΠΠΟΣΧΑΒΡ[ΙΟΥ ΕΧΟ]
ΡΗΓΕΙ ΔΑ.....

The Cecropid Tribe gained the prize with a Chorus of Boys, of which CTESIPPUS *the son of* CHABRIAS *defrayed the expense.*

He adds the following remarks:

'This small fragment of a marble slab is a curious historical document. It informs us of a fact that cannot be learnt elsewhere, from which we discover the result of one of the most important orations of Demosthenes. His oration against Leptines was composed on behalf of Ctesippus, the dissolute son of the wise and valiant Chabrias, who is mentioned in the above inscription; its object was to secure to Ctesippus the immunity from public burdens, which he enjoyed in consequence of the exploits of his father, and of which the law of Leptines threatened to deprive him. Of these public burdens the χορηγία was the most onerous. This marble presents us with a proof that Ctesippus performed the office of Choragus. Demosthenes therefore failed in his attempt[3].'

δώναι μηδενὶ τὴν δωρεὰν ταύτην. τί οὖν; ἔσθ' ὅπως παρεδέξαντο τὸν νόμον; οὐ μὲν οὖν, ἀλλ' ἑάλω γραφῆς.

[1] Westermann, *Zeitschrift f. d. Alt.*, 1844 p. 578, 'd. h. nicht Leptines, sondern das Gesetz, gegen welches die Klage gerichtet war'. Similarly Pseudo Plut. *vit. Lysiae* 835 E, ἑάλω τὸ ψήφισμα.

[2] Köhler in CIA ii 1263, 'lapidem frustra quaesivi'. The same Κτήσιππος [Χ]αβρίου Αἰξωνεὺς is mentioned in an inscr. ascribed to B.C. 334—3, CIA ii 804 = Dittenberger 351, in connexion with some fittings of triremes (σκεύη ἔχει κρεμαστὰ ἐντελῆ).

[3] Wordsworth's *Athens and Attica*, p. 119, ed. 1855.

The above comment assumes the identity of the Ctesippus mentioned in the inscription with the son of the general Chabrias, though it may conceivably refer to the grandfather of our Ctesippus. But even assuming that the identification (as is extremely probable) is correct, it does not follow that Ctesippus had lost his hereditary exemption, for it is quite possible that he undertook the duty of Choregus voluntarily, even after his rights had been assured him. Such an act would be in accordance with what we know of his character as one who was apt to spend his money somewhat freely[1].

If, in our uncertainty as to the result, we look for further help in the study of inscriptions, we find several instances of the grant of ἀτέλεια before the date of the speech, *e.g.* before 376 (CIA ii 42), 363—2 (*ib.* 54), and about 356—5 (*ib.* 91)[2]. The date of the inscriptions ii 131, 144 and 224 is uncertain, but all three are placed by Köhler between B.C. 356 and 336[3]. Of these ii 144 grants to a *proxenos* ἀτέλειαν πά[ντων], and if we were quite certain that it was later than the time of our speech, it would be important evidence[4]. There is also an inscription belonging to Ol. 108, 2 = 346, granting to certain princes of Bosporus, Spartokos and Pairisades, the same bounties (δωρειὰς) which had been granted to their father Leucon and their grandfather Satyrus[5]. As ἀτέλεια was one of the bounties granted to Leucon, it might be inferred that it was also granted to his sons, but (curiously enough) it is not expressly mentioned in the decree. Even if it had been mentioned, it would have been still uncertain whether a general ἀτέλεια was meant, including exemption from all λητουργίαι, or only a limited ἀτέλεια, such as possibly exemption from import duties. This last, if ever granted at Athens, was probably not touched in any way by the law of Leptines.

The other inscriptions quoted in this connexion are CIA ii 131 καὶ ἀτ[έλειαν καὶ γῆς καὶ οἰκ]ίας ἔγ[κτησιν] and ii 224 τὴν ἀτέλ[ειαν]. This last belongs to the Macedonic age, and we have also an inscription recording ἀτέλεια in the middle of the second century B.C.[6] But as, by that time, the burden of undertaking the χορηγία had been shifted from the shoulders of individuals and been made to fall on the public treasury, the ἀτέλεια in question cannot refer to exemption from the χορηγία, the most important of the ordinary λητουργίαι, but

[1] This is the view suggested by Westermann, *Zeitschrift f. d. Alt.* 1844 p. 578, and in his ed.; also by Arnold Schaefer, i $374^1 = 413^2$, where, for the character of Ctesippus, reference is made to Rehdantz, *Vit. Iph.*, p. 230.

[2] p. xv, notes 1 and 7.

[3] p. xvi, notes 3, 4, 6.

[4] It is quoted to prove the retention of the right of granting ἀτέλεια by Thumser, p. 143.

[5] Quoted on p. 33.

[6] p. xiii, note 2.

simply to some other kind of τέλος such as possibly export and import duties.

Thus the mention of ἀτέλεια is in itself inconclusive. It is worth noting, however, that in the decrees afterwards passed in honour of Demosthenes and Lycurgus, no ἀτέλεια is granted. But even from this it does not follow that such privileges could not have been conferred by the people. Possibly they still retained the right of granting ἀτέλεια; but, in view of the agitation promoted by Leptines and his friends, deemed it safest to refrain from exercising it.

Of the two foremost German authorities on Demosthenes, one, Arnold Schaefer, believes that the orator succeeded in his object. The other, Blass, inclines to the view that he failed. He maintains that there is no known instance of the grant of ἀτέλεια later than the year of the trial, B.C. 355—4[1]. The orator was still comparatively young and almost unknown as a public speaker, the treasury was empty and there had been some delay in taking the legal proceedings against the abolition of ἀτέλεια. So that, in this view, there need be no occasion for surprise that the effort to secure the repeal of the new law was unsuccessful.

Arnold Schaefer, who holds the other view, discusses some constitutional questions of procedure that arise out of the case. It was once maintained by Westermann, in an article on the legislative procedure of Athens[2], that the question respecting the abrogation of the law of Leptines came before the νομοθέται; and that this legislative body, after rejecting the law of Leptines, immediately decided on the amendment proposed by Apsephion[3]. But it was afterwards established by Schömann[4] that this view was incorrect, both as regards the composition of the tribunal and the purport of the amendment, and Westermann accordingly with perfect candour admitted his mistake[5]. The

[1] Bursian's *Jahresb.* 1879, i 279, and *Att. Ber.* III i 239, ii 369.

[2] *Abh. d. k. sächs. Ges. d. W.*, i 48—55.

[3] This view was retained by Perrot in his *Droit public d'Athènes* p. 163, 1869, 'Les Nomothètes ne différaient des autres Héliastes par aucun caractère spécifique; on donnait ce nom aux juges quand ils se trouvaient faire partie du tribunal de mille juges qui décidait en dernier ressort s'il y avait lieu d'abroger ou d'accepter une loi. Or peut-on imaginer un procès qui ait à un plus haut degré que celui-ci le caractère d'une discussion législative? Le discours ne contient pas de ces attaques personnelles où se complaisent d'ordinaire les orateurs attiques, et il est tout entier consacré à l'examen de la loi qu'il s'agit de faire rejeter; c'est, d'un bout à l'autre, la loi seule qui est en cause, c'est elle, ce sont les arguments de ses avocats qui sont appréciés et jugés dans le langage le plus simple et le plus convenable, par un homme d'Etat et un sincère patriote. Si nous n'avons pas là un des discours prononcés dans une séance de cette espèce de *Corps législatif*, que l'on appelait le tribunal des *Nomothètes*, je ne sais vraiment à quel signe on reconnaîtra un monument de ces débats législatifs'.

[4] *Opusc.* i 239 ff. F. A. Wolf, Heffter, Platner and Bake had already noticed that the speech was delivered before a judicial body.

[5] *Ausg. Reden*, II 164 (1860), 191 (1885).

form of procedure was, indeed, not materially different, whether the case came before a sworn body of judges who had to consider the charge brought against a newly accepted law on the ground of its unconstitutional character, or before a sworn body of *νομοθέται* who had to decide on a fresh law[1]. In either case the Thesmothetae presided, and the new law, no less than the old, had to be defended by speakers specially appointed for the purpose. But the speech itself makes it clear that Demosthenes was addressing not a legislative body but a judicial tribunal: the very first words are *ἄνδρες δικασταί*. It is also clear that Solon's provision that, after a law had been abrogated by the *νομοθέται*, the amendment to that law should *ipso facto* come into force, could not be applied in the present instance. Although the orator makes a single reference to this (§ 99), it is clear that he dares not insist upon it. All that he further adds is to pledge himself, not that Apsephion's proposal would not be withdrawn in the course of the hearing of the case, but that at the next ordinary meeting of the *νομοθέται* for the transaction of legislative business, *i.e.* at the beginning of the following year, the new law would be laid before them (§§ 100 ff., 137).

According to this view, Arnold Schaefer who (it will be remembered) holds that Demosthenes succeeded in his object, points out that it would not be until the next year, Ol. 106, 3 = 354, that a decision would be made respecting the amendment. As an instance of a trial founded, he believes, upon that amended law, he refers to the speech of Hyperides *περὶ τῶν Εὐβούλου δωρειῶν*. The honours granted to Eubulus were called in question after his death, the point at issue being possibly the continuance of those honours to his descendants. An investigation of the deserts of the proposed recipients might conceivably be held under such a law as that proposed by Demosthenes[2].

On the whole, interesting as it would be to feel assured respecting the result, it seems safest to acquiesce in the cautious view of the French critic, Weil, who, after stating on the authority of Dion that the law of Leptines was abrogated, adds that this is uncertain and that, to decide the question, we must await further evidence. Thus, if an Athenian inscription were discovered, belonging to a later date than 355 B.C., and conferring exemption from the ordinary 'liturgies', this would prove that the ratification of the law of Leptines was withheld, and that Demosthenes succeeded in the object of his speech.

[1] A. Schaefer, *Dem.* i p. 373[2].

[2] A. Schaefer, *Dem.* i 215[2].

§ 8. *Ancient and modern criticisms.*

The speech has won the praise of ancient as well as modern critics for its elevation of tone and its finish of style. The Stoic Panaetius, whose treatise περὶ τοῦ καθήκοντος was Cicero's model in the *de Officiis*, is quoted by Plutarch in his life of Demosthenes (13), as commending several of the orator's most important speeches in the following terms:

'Most of his orations are written as if they were to prove this one conclusion, that what is honest and virtuous is for itself only to be chosen; as that of the Crown, that against Aristocrates, *that for the immunities*, and the Philippics; in all which he persuades his fellow-citizens to pursue, not that which seems most pleasant, easy, or profitable; but repeatedly tells them to prefer what is just and honourable before their own safety and preservation.'

But, as has been excellently remarked by the French editor of the speech, the praise of Panaetius must be received with a certain amount of reservation:—

'Il ne faut pas cependant s'en tenir à cette impression générale: on s'exposerait à idéaliser l'éloquence et le caractère de Démosthène. Ce grand orateur n'a pas été le disciple des philosophes, il est sorti de l'école du praticien Isée, il s'est formé par les préceptes des rhéteurs, à commencer par Corax et Tisias de peu honorable mémoire. Il n'a pas habité la république de Platon, mais la ville très-corrompue d'Athènes. Il est avocat, il plaide une cause, et il use de tous les moyens pour la faire triompher. Ne nous figurons pas qu'il pense tout ce qu'il dit: cet honneur que lui font des admirateurs naïfs l'aurait fait sourire, si tant est qu'il ne l'eût pas pris pour une injure faite à son habileté. Démosthène atténue outre mesure et le nombre des exemptés et celui des liturgies auxquelles il fallait pourvoir annuellement; il fait grand bruit des immunités de Leucon, qui n'étaient point menacées; il arrange à sa façon et pour le besoin d'une réfutation plus péremptoire les arguments dont s'est servi ou dont pourra se servir son adversaire; il présente sous un faux jour et dénaturé sciemment une des clauses de la loi de Leptine; il emploie des raisonnements qui peuvent faire illusion à l'auditeur, mais qui ne supportent pas un examen sérieux: peintre de décors, il excelle dans ces trompe-l'œil qui ne sont pas faits pour être regardés de près. On retrouve dans tous les plaidoyers de Démosthène, et jusque dans le discours de la *Couronne*, cette habileté peu scrupuleuse qui fait partie du métier. Il ne faut pas y fermer les yeux; mais il ne faut pas non plus méconnaître les nobles sentiments et les pensées généreuses qui inspirent la politique de Démosthène et qui sont l'âme de son éloquence[1].'

Dionysius of Halicarnassus, in the course of a rapid survey of the speeches of Demosthenes, describes the speech περὶ τῶν ἀτελειῶν as χαριέστατος ἁπάντων τῶν λόγων καὶ γραφικώτατος[2]. Reiske's rendering of the two epithets, *elegantissima et maxime ornata*, gives a wrong sense to the second. While the first epithet, χαριέστατος, implies all the grace and charm of perfect Attic diction; the second, γραφικώτατος,

[1] Weil, p. 9.

[2] *First letter to Ammaeus*, iv.

points to the finish and precision characteristic of the written style, as contrasted with the style of debate which lends itself more readily to delivery. Such at least is the definition given us in Aristotle's *Rhetoric*, iii 12 § 2, ἔστι δὲ λέξις γραφικὴ μὲν ἡ ἀκριβεστάτη, ἀγωνιστικὴ δὲ ἡ ὑποκριτικωτάτη. In § 6 of the same chapter, Aristotle describes the epideictic style as γραφικωτάτη, that is, 'in the highest degree adapted for writing, for its special function is reading': and next to this he places the forensic style. Strictly speaking, the present oration belongs to the forensic type (γένος δικανικόν), in so far as it is a pleading addressed to a judicial tribunal; but, in the passages where it eulogises the benefactors of Athens, it shews some affinity with the epideictic class. It has also some points of contact with the deliberative kind of oratory (γένος συμβουλευτικόν), since it discusses the principles of public policy which should guide the statesman in the maintenance of a system by which patriotism is duly recognised and rewarded.

Theon, a rhetorician of uncertain date, describes as the κάλλιστοι τῶν Δημοσθενικῶν λόγων those in which a law or decree is discussed, including in this class the speech πρὸς Λεπτίνην, as well as the *de Corona*, and the speeches against Androtion, Timocrates and Aristocrates. The same rhetorician mentions it, with the last two of these speeches, as supplying a perfect model of destructive criticism directed against a law: εὐπορήσομεν...νόμων ἀνασκευῆς...ἐντελέστατα παρὰ Δημοσθένει ἔν τε τῷ κατὰ Τιμοκράτους καὶ Ἀριστοκράτους καὶ πρὸς Λεπτίνην[1].

Shortly before the time when Dionysius was living in Rome, Cicero in his *Orator*, while dwelling on the varied excellences of the speeches of Demosthenes, mentions the speech against Leptines as a typical instance of an *oratio subtilis*, a speech, that is to say, of the plain and unadorned, sober and temperate, type, which he elsewhere describes as the *dicendi genus tenue*. His actual words are as follows: *multae sunt eius orationes subtiles, ut contra Leptinem* (§ 111). *Subtilis* is here an epithet of style; it does not mean 'subtle'; it has nothing to do with the matter of the argument, but simply with the form of expression. Hence it may be seen how inappropriate is the rendering of a passage in Wolf's *prolegomena* as given in Kennedy's translation, p. 239: 'the style of the Leptinea is so *subtle*, that it is scarcely surpassed by any writer except Lysias, who is all *subtlety*'. Similarly it is erroneous to say that 'Cicero speaks of it as being peculiarly *subtle in argument*' (*ib.* 235).

In the second century of our era, Lollianus, a rhetorician of Ephesus, who taught at Athens in the time of Hadrian and Antoninus Pius, composed a declamation on the same theme as the speech of Demos-

[1] Spengel's *Rhet. Gr.* ii pp. 61, 69.

thenes. The sobriety of style which is characteristic of the speech of the orator cannot be better illustrated than by the contrast afforded by the far-fetched epigrams of the rhetorician. They are introduced as follows by Philostratus in his lives of the Sophists, i p. 527 : *κατηγορῶν τοῦ Λεπτίνου διὰ τὸν νόμον, ἐπεὶ μὴ ἐφοίτα τοῖς Ἀθηναίοις ἐκ τοῦ Πόντου σῖτος, ὧδε ἤκμασε· κέκλεισται τὸ στόμα τοῦ Πόντου νόμῳ, καὶ τὰς Ἀθηναίων τροφὰς ὀλίγαι κωλύουσι συλλαβαί· καὶ ταυτὸν δύναται Λύσανδρος ναυμαχῶν, καὶ Λεπτίνης νομοθετῶν.*

Later in the same century we have a rhetorician of greater fame in the person of P. Aelius Aristides (A.D. 117—180), who was born in Mysia, studied at Athens under Herodes Atticus, travelled in Egypt, Greece and Italy, and finally settled at Smyrna where he died. His admirers compared him to Demosthenes; and among his five and fifty declamations we have two connected with the law of Leptines, no. 53, *πρὸς Δημοσθένη περὶ ἀτελείας*, and no. 54, *πρὸς Λεπτίνην ὑπὲρ ἀτελείας*. In the former he argues against Demosthenes; in the latter he takes the other side. The first of these speeches was discovered in the Vatican library in 1825 by Angelo Mai, the librarian. The second had already been discovered by Morelli in the library of St Mark's, Venice, and published in 1785. This latter was reprinted by F. A. Wolf as an appendix to his edition of the speech of Demosthenes in 1789, and his criticism on the work of Aristides in contrast with that of Demosthenes is well worth quoting:

'The principal use of the Oration of Aristides is, that, since very few specimens of declamatory composition have come down to us, and none of them is more eminent than this, we may see, by comparing it with the speech of Demosthenes, how unsuccessful the imitation is, by what marks a style of meretricious ornament is distinguished from the natural beauties of the ancient and real eloquence. For how entirely different from that declaimer of the school does the Attic orator sound. The Leptinean speech is indeed one of the quiet kind, employed wholly in convincing, rather than exciting the hearer; and possesses not the force and grandeur of language and sentiments which we admire in the Philippics and some other speeches, which are usually regarded as models of the Demosthenic character. Here everything is calm, temperate, carefully worked out, and of an equable tenor. This indeed is the highest excellence of oratory, to know how the style should be varied according to the subject. And none better understood this art than our orator; and for this single reason one might think him justly preferable to all whom either that or any following age produced. So plain and concise is he in some of the private orations composed for small causes; so copious, dignified, and grand in his Philippics; that one would scarcely recognise the same hand in both. But between these two classes of his speeches there is a third, in which he opposes laws or popular decrees; and for which he has been specially commended by ancient critics. Of the highest rank in this class is the celebrated Oration on the Crown, though it is more akin to the loftier class. Next to this I am inclined to place the Leptinean; certainly, out of the four Orations in this same class, those against Androtion, Aristocrates,

Aristogiton, Timocrates, none ought to be preferred to this; and only that against Androtion can be put on a par with it[1].'

The same critic lauds in his preface the *forma dicendi, quae ibi regnat, aequabilis illa et quieta*, and adds:—*equidem certe, dum penitus me in cuiusque loci sensum insinuabam, subtilitate illa, iam olim a Demosthene Latinorum laudata, tum admirabili veritate et sententiarum et verborum, tum urbanitate et arte, qua Orator adversarii rationes diluit et infirmat, homini parcit, sic saepe sum affectus, vix ut unquam me ex prosa eloquentia meminerim maiorem voluptatem percepisse.*

More than two centuries before the date of Wolf's edition, we have an incidental reference to our speech in the best known work of Roger Ascham. In his *Scholemaster*, while touching on the three varieties of oratorical style to which the epithets *humile, mediocre* and *sublime* are assigned, he observes that 'examples of these three in the Greke tong be plentifull and perfite, as Lysias, Isocrates and Demosthenes; and all three in onelie Demosthenes, in diverse orations, as *contra Olimpiodorum, in Leptinem* and *pro Ctesiphonte*. And trew it is, that Hermogenes (*περὶ ἰδεῶν* i 1) writeth of Demosthenes, that all formes of Eloquence be perfite in him[2]'.

A modern German critic, Professor Blass, has justly drawn attention to a certain absence of compactness in the composition of the speech. The successive arguments (he observes) are loosely strung together, and are repeatedly introduced by the same connecting particle. Thus we find eight consecutive paragraphs ushered in by the same connecting particle, *τοίνυν* (note on § 5). He also notices the absence of precise logical divisions, the argument against the injustice of the law recurring repeatedly in various parts of the speech. As it is not the only speech delivered in the case, it does not present us with the whole of the argument, but simply with a selection of the most important points, while it insists with special emphasis on the motive of honour which it sets in sharp contrast to the plea of expediency urged by Leptines. In diction, the style is marked by a terseness and simplicity like that of Lysias. Among its few departures from the level of ordinary language are *ὑπορρεῖν τινα* (49), *ἀποστατεῖν τῇ γνώμῃ* (104), and *θεοὺς ἐπιφημίζειν* (126). Strong and vivid figures of speech are generally absent: it is exceptional to find exclamations such as *ὦ γῆ καὶ θεοί* (96), and *ὦ Ζεῦ καὶ θεοί*[3]. The latter, however, is found exactly in that part of the speech where we have most reason for expecting it, the passage immediately before the closing sentence. For, as is well remarked by Brougham, 'the perorations, if by this we mean the concluding sentences of all, in the Greek orations, are calm and tame, compared with the rest of their texture, and especially with

[1] p. 239 of Kennedy's *Transl. of Dem. against Leptines &c.*

[2] p. 171, ed. Mayor, 1863.

[3] *Att. Ber.* III i 237.

their penultimate portions which rise to the highest pitch of animation[1]'. 'Wherever pity, terror, anger or any passionate feeling is uttered or invited, this tumult is resolved in a final calm; and where such tumult has place in the peroration, it subsides before the last sentences of all[2]'.

The general character of the speech is admirably summed up by a former member of the English bar, the late Charles Rann Kennedy, the translator of Demosthenes:—

It is not animated with the glowing eloquence of the Philippics, but it has merits and beauties of another kind. Here we have Demosthenes in the character of the sound constitutional lawyer, or rather the sagacious politician, warning his countrymen against the dangers of an unwise measure of legislation. The speech is such as an enlightened member of the English Parliament might address to the House of Lords or Commons, or to a Committee, upon the merits of some proposed bill or its clauses: with this difference, however, that it is a rare thing for an Englishman to produce an elaborate work of art like this which the Athenian has handed down to posterity[3].

For a partial parallel in modern times, we may turn perhaps to the *Letter to a Noble Lord* (1796), in which Burke indignantly repels the Duke of Bedford's attack on himself and his pension. But the English orator's later style is marked by an Asiatic exuberance, which, as compared with his earlier manner, is far removed from the Attic sobriety and simplicity of the *Leptines*. Here and there, however, in quieter passages, we are sometimes for the moment reminded of the speech of Demosthenes:

I really am at a loss to draw any sort of parallel between the public merits of his Grace, by which he justifies the grants he holds, and these services of mine, on the favourable construction of which I have obtained what his Grace so much disapproves. ...My merits, whatever they are, are original and personal; his, are derivative. It is his ancestor, the original pensioner, that has laid up this inexhaustible fund of merit, which makes his Grace so very delicate and exceptious about the merit of all other grantees of the crown.

§ 9. *The Manuscripts.*

The most important MSS containing the *Leptines* are those indicated by the symbols **S**, **L** and **A**. Little inferior to these are **Y**, **O** and **P**. The best MSS of the second class are **F** and **B**; to the same class belong **X** and **Q**; and the only others that call for mention are **t**, **v** and **k**.

S or **Σ** is in the *Bibliothèque Nationale*, Paris (no. 2934 of the Greek MSS). It belongs to century X, and is written on 533 leaves of vellum, measuring $13\frac{5}{8}$ by 10 inches, in double columns of 32 lines. On a leaf of paper at the end of the MS is a description beginning with

[1] VII, *Rhetorical Dissertations*, pp. 25, 184.

[2] Jebb's *Attic Orators*, p. ciii.

[3] *Dem. against Leptines, &c.*, p. 235.

the words *βιβλίον μονῆς τῶν Σωσάνδρων*, shewing that it once belonged to a monastery named after Sosander, a martyr of whom nothing is known beyond the fact that he lived in Galatia. Hence it has been conjectured by Voemel that the monastery was at Ancyra in that district. In memory of its former owners, the Sosandrian monks, it is designated by their initial letter, Σ (in Bekker's Berlin edition), or S (in his Oxford edition). The monastery to which it once belonged was supposed by Dindorf to have been situated on Mount Athos, but none of the numerous monasteries of the 'holy mountain' bears the name of Sosander. It has been suggested by Haase that the MS was written either at Constantinople or at Caesarea in Cappadocia, or in some other part of Asia Minor, as the hand resembles that of copyists of that region in the ninth and tenth centuries. It once belonged to 'Cardinal Niccolo Ridolfi, on whose death, in 1550, it passed to his relative, Pierre Strozzi, Marshal of France, from whom it was inherited by Queen Catherine de' Medici. It was added to the Royal Library of Henri IV, the present binding bearing his arms and being dated 1604[1]. The first editor who made any use of it, and that only in a very few passages, was Auger when editing the Philippics at Paris in 1790. In 1814, Dobree visited Paris and examined the MS, writing at the time to his friend Thomas Kidd about its learned copyist[2], and afterwards making frequent mention of its readings in his *Adversaria*. The first to make full use of it was Bekker, for the Oxford edition of 1823. It was subsequently examined most minutely by Voemel, who gave a detailed account of it in his *Notitia Codicum Demosthenicorum II* (Frankfurt, 1834, p. 16), and in §§ 72—87 on pp. 219—243 of the *Prolegomena Critica* to his *Demosthenis Contiones* (Halle, 1856). This account was founded on a study of the MS extending over three months. The text of the *Leptines* has since been most carefully collated by MM. Graux and Duchesne for Weil's edition of 1877. It has also been examined, in all important passages, by the present editor in the early part of 1886.

It is written in upright minuscules of a distinctly quadrangular form, marking the transition from the uncial to the cursive hand. The letters are delicately formed, with a thin stroke. At the end of a line there is a tendency towards larger forms, as in *Lept.* col. 2, ll. 14 and 20. The beginning of a fresh paragraph is denoted by an enlarged letter in the margin. The ink is brown. Titles and colophons are in small uncials in red. Red is also used for the initial letter of each oration. The number of *στίχοι*, or verses, is recorded at the end of

[1] Description in *Palaeographical Society's Publications*, II plate 46.

[2] Dawes, *Miscellanea Critica*, p. 221, ed. 2, Kidd.

each oration. Contractions are very rare. The breathings are rectangular; the accents generally short and fine. The words are often imperfectly separated. The punctuation is denoted by middle and high points. A new sentence is marked by a short space; but the next line does not in these cases begin with a larger marginal letter. In the text and in the margin are numerous notes of revision, both ancient and modern. The details just given are from the description of the plate in the *Publications of the Palaeographical Society* (II. 46). The first page of the *Leptines* was published by the Society in 1886, and permission has been kindly granted for the use of the autotype plate in the present edition. The plate includes the first four sections, with the following marginal notes. In column 1, opposite l. 6, a various reading is recorded by the words γρ[άφεται] συνερεῖν, followed by a note on the argument, ἀντίθ[εσις] τ[ο]ῦ δικ[αίο]υ. Corresponding to this we have a second note in column 2, δευτέ[ρα] ἀντίθ[εσις]; also, opposite l. 9, ἀνθυποφορὰ κ[ατὰ] συνδρομ[ὴν] ἐξ ἀντ[ι]π[αρα]στάσε[ως]; opposite l. 19 ση[μείωσαι] equivalent to *nota bene;* and lastly opposite l. 21, ἐνταῦθ[α] ἔλαβε τὸ ἀκόλουθ[ον] [ἀπὸ] τ[ο]ῦ ὁμοί[ο]υ κατ' ἐρώτησ[ιν] ἔπειτ[α] ἀνέτρεψ[εν]· ὡς ἔχειν μ[έν] τι [καὶ] ἄτοπ[ον] τὴν ἐρώτησιν οὐ μ[ὴν] [ἀπο]δεικνύμ[ενον] δ[ιὰ] τῶν ἐχομ[ένων].

It is agreed on all hands that it is the best MS of Demosthenes now in existence. Nowhere, perhaps, is this opinion more emphatically expressed than in the climax of the opening paragraph of the preface to Demosthenes in the Zürich edition: 'Quae Demosthenis vivi pectus adversum gravissimis vulneribus percutere non destiterat, fortuna mortui pie coluit et illustravit. Demosthenis enim exemplum patriae, libertatis, sanctissimorum omnium vindices generosissimi ad hunc usque diem admirabundi intuentur; Demosthenem, quisquis eloquentiae perfectae formam animo comprehensam habet, imitando exprimere studet; Demosthenis orationes etiam nunc fere omnes extant; Demosthenis denique superest codex parisiensis Σ'. A less favourable opinion is expressed as follows by Cobet:—'quasi vero non sexcenties etiam in praestantissimo codice S Parisino absurdae lectiones compareant et manum ipsam Oratoris sollers et acuta coniectura revocaverit. Sunt qui in Codicis S fide et auctoritate aestimanda ridiculum in modum (ut dicam libere quod sentiam) a vero aberrent. Vidi adeo qui Codicem S *additamentis prorsus liberum* asseveraret esse. Alii nihil fere *male* omissum esse opinantur. Equidem excussa diligenter omni farragine scripturarum, quae ex Cod. S excerptae sunt, maneo in vetere sententia illum Codicem longe longeque omnium qui nunc exstent optimum et fidelissimum testem esse, sed ex ea re melius confici quam sint ceteri omnes vitiosi quam ipsius S integritatem et fidem

per se spectatam laudari' (*Novae Lectiones*, p. 515; cf. *Var. Lect.* p. 94; *Misc. Crit.* p. 1). In the same spirit it is justly observed by Shilleto: 'The MS was undoubtedly transcribed by a learned, acute, and careful copyist: but I shrewdly suspect that his very learning and acuteness had led him occasionally to meddle with the text (precisely as a modern Critic would do), and in other respects he shares in the common lot of humanity, and has not escaped oversights and slips of the pen' (pref. to *De Falsa Legatione*). A similar opinion is maintained by Dindorf: 'caute illo libro utendum est, quippe doctas indoctasque grammaticorum manus non uno in loco experto' (*praef.* to Teubner text, p. 1). And, in the new edition of the Teubner text, the following is the language of its reviser, Blass: 'ego vero neque codicis Σ auctoritatem spreverim, neque ceteros melioris notae codices neglexerim, neque negaverim coniectura et observatione multum effici posse: sed adeo rem quam tractamus difficilem maximaeque molis esse duco, ut vix putem omnibus undique subsidiis adhibitis partem aliquam operis profligari posse. Id autem cum dico, sane dico eum quem nunc manibus tenemus Demosthenem ab antiquo et vero multum differre. Cuius iudicii socios habeo et Cobetum et Weilium multosque alios; nam sicut postquam in ascendendo monte aliquantum viae profecimus, altitudinem eius verius cernimus rectiusque aestimamus quam antea, ita iam fere cognovimus, ope codicis Σ multa sed minime omnia ad emendandum Demosthenem profecta esse' (*praef.* p. ix.)

In the *Leptines* the following may be mentioned as instances in which recent editors have accepted a reading that rests on the authority of this MS alone:—in § 2 the second ἀφείλετο is marked in S alone as a word to be omitted, in § 79 S alone has ὦ ἄνδρες δικασταί instead of Ἀθηναῖοι, and in § 55 S alone has ὅρα instead of ὁρᾶτε. As examples of slips of the pen we have in § 1 συναιρειν (corrected into συνερεῖν) and in § 153 συναιροῦντας (for συνεροῦντας), § 113 ἐπεὶ μὴ (corrected into ἐπὶ μὴ), 120 φανεῖσθαι instead of φανεῖσθε, 147 μειζων for μεῖζον and § 71 ἐπετιμήθη for ἐτιμήθη. This last mistake is also found in other good MSS. It has also, in common with all other MSS, the interpolated words τῆς ὀλιγαρχίας καὶ δεσποτείας in 111, σκοπῶ δὲ καὶ τοῦτο in 139, and similarly in 141.

In the margin some of the most striking passages are indicated by eulogistic epithets. I have observed the following: on § 138, ll. 1—4, πάνυ ὡραῖον; 143, ll. 1—4, ἄριστον τοῦτο; 151, θαυμασιώτατον; end of 158 and beginning of 159 σημείωσαι τοῦτο ὅλον; and similarly in the latter part of 3, σημείωσαι. Some may be disposed to compare these remarks with the notes characterised in Macaulay's Essay on Croker as 'reflections such as the least intelligent reader is quite competent

to make for himself, and such as no intelligent reader would think it worth while to utter aloud'; but they have a certain amount of human interest in shewing us what passages were considered worthy of admiration by an ancient annotator.

L, in the Laurentian library at Florence, Plut. LVI ix no. 136 (formerly 49), a MS of century XIII, carefully collated by Schultz. It often agrees with S alone, but is not copied either directly or indirectly from it. Both must have had a common archetype.

A, *codex Augustanus primus*, formerly at Augsburg (*Augusta Vindelicorum*), now at Munich (no. 485), on parchment, *paene quadratus;* of century XI (according to Dindorf, who places it at the head of his third class). It has recently been shewn that it ranks next to S and L in importance (Andreas Spengel, quoted by Blass, *Dem.* I, pp. iv and xvi).

Y O P are not far inferior to **S**, occupying a position between it and the second class of MSS.

Y, in the *Bibliothèque Nationale*, Paris (no. 2935), about century XI (Dobree in Porson's *Tracts*, p. 387).

O, formerly at Antwerp, in the Jesuits' Library, no. 43; carried off to Paris, where it was in the *Bibl. Nationale* when examined by Bekker; found in the *Bibl. Burgundica* at Brussels, by Voemel (*Dem. contiones*, pp. iv and 243). Early in century XIV.

P, in the Laurentian library, Florence, Plut. LIX 9, written on vellum, probably early in century XI, containing eight speeches (*F. L.*, *Epit.*, *Lept.*, *Mid.*, *Aristocr.*, *Androt.*, *Tim.*, *Aristog.* i), with scholia, in some parts full. It is 'written in minuscules in the light elegant hand which appears to have been used very generally at this period for classical works, and contrasting with the more formal and exact style of writing of liturgical and sacred books' (from description in *Palaeographical Society's Publications*, II plates 88 and 89; plate 88 is a facsimile of *Lept.* § 110 ἐπιτιμῶντας to § 114 ἦσαν). It is in the same hand as the Ravenna MS of Aristophanes (Dind. ed. Oxford, p. xv).

F, in St Mark's Library, Venice, no. 416, of century XI, containing 61 speeches. The best MS of Dindorf's second class, but closely followed by **B**.

B, *codex Bavaricus*, in the Munich library, 85, on cotton-paper (*bombycinus*) *forma maxima;* of century XIII.

X, in the Laurentian Library, Florence, Plut. LIX 10, on cotton-paper, of century XIV, belongs to the same family as **F** and **B**.

Q, in St Mark's Library, Venice, no. 418, of century XI, belongs to the same family.

t, in the *Bibliothèque Nationale*, Paris (no. 2994), ascribed to century XI by Voemel, to century XII by Auger and Dindorf.

v, in the same library (no. 339 of the *bibliotheca Coisliniana*); century XV?: **t** and **v** generally agree with **Y**.

k, in the same library (no. 2998); ascribed by Voemel to century XIII; in the catalogue to XIV.

s, in the same library (no. 2940), century XIII.

Vind. 1, in the library at Vienna, *Vindobona* (no. 70), century XV.

In the Berlin Museum, there is a fragment of the *Leptines*, beginning with § 84, inscribed on a *papyrus* recently found in Egypt. The fragment will shortly be edited in facsimile by U. Wilcken who ascribes it to century II. The value of this MS is far less than might be expected from the early date assigned to it[1].

In addition to the evidence of MSS, we have that of quotations in later writers, and especially in rhetoricians such as Dionysius, Aristides, Demetrius, Minucianus, Hermogenes, Apsines and Libanius. Some of these quotations have been collected by G. H. Schaefer, and a still larger number by Voemel. This particular kind of evidence has great weight assigned to it in the revision of the Teubner text edited by Blass. So far from resting satisfied with the text of the quotations as edited by Walz and Spengel, who have tacitly introduced the readings found in the current editions of Demosthenes, Blass has frequently restored to us the readings preserved in the actual MSS of the rhetoricians above mentioned.

§ 10. *Modern Editions.*

An edition of the speech, printed at the Cambridge Press, was brought out before the middle of last century by *John Taylor* (1704—66), fellow of St John's[2]. This was printed simply as a specimen of the edition of Demosthenes and other orators published in 1748 and in later years. The notes, which are placed after the text, extend over nineteen pages in double columns, and are mainly on points of textual criticism. They include observations by Taylor's friend Jeremiah Markland of Peterhouse (1693—1776).

This edition was far surpassed in varied interest by that of *F. A. Wolf* (1759—1824), published with Latin notes at Halle in 1789; reprinted at Zürich by one of his pupils, Bremi, in 1831; and anonymously translated into English at Cambridge (with additions) in 1840. This translation was again published in 1864 under the name of Mr Beatson, fellow of Pembroke. It was also reprinted in 1880 with the

[1] Blass in *praef.* to Teubner text, vol. II p. v.

[2] Nichols, *Literary Anecdotes*, iv 490—535, 662—6, esp. p. 495; and Hartshorne's *Book Rarities in the University of Cambridge*, pp. 35—39.

unfortunate omission of the *prolegomena*, perhaps the most valuable part of the original work. In its original form the book marked an epoch in the history of classical learning. The *prolegomena*, extending in Bremi's reprint to seventy pages, display a breadth and copiousness of information on many matters of interest connected with Greek history and antiquities (so far as they bear on the speech itself), which make them a model of such work for all later time. They have been justly characterised as the earliest dissertation which is of any real use in connexion with the public antiquities of Athens[1]. It must be remembered, however, that at the date of Wolf's edition, there were hardly any manuals of Greek history, and few convenient books of reference on Greek antiquities. Hence, in going over the same ground at the present day, we can dispense with a large part of this introductory information and be content to find it in our ordinary text-books. The commentary is characterised by wide learning and sober judgement, though occasionally marred (like the Introduction itself) by small personalities at the expense of his immediate predecessors, such as Reiske (1716—1774), whose unwearied and unselfish labours in the cause of scholarship, though marked by less originality and genius than those of Wolf, deserve to be gratefully remembered by every student of the Greek orators. One of Wolf's pupils gives us some interesting reminiscences of his lectures on the *Leptines* in the winter of 1788—9, when each successive sheet of the edition was distributed to the class as it came fresh from the printer. 'In this, as in all his courses of lectures, his teaching was inspiring, suggestive and stimulating', fully justifying the verdict of Goethe, who, on a visit to Wolf in 1805, more than once induced one of the professor's daughters to conceal him behind a curtain and thus enable him to listen to the lectures. "The poet has recorded in his own untranslatable words, that his expectations were fulfilled by 'the spontaneous deliverance of a full mind, a revelation issuing from a thorough knowledge, and diffusing itself over the audience with spirit, taste and freedom[2]'."

'The *Leptines*, at the time of its appearance, excited the attention of the learned world. It drew a complimentary letter from Heyne, who characteristically gives himself the air of knowing all that Wolf has to say, and, therefore, approving all he has said. The *Leptines* enjoyed that immunity from censure which is often accorded to first publications. Not, indeed, that it needed indulgence, unless it were for the

[1] Urlichs in *Handbuch der kl. Alterthumswissenschaft*, i 100.

[2] A. G. Becker, *Literatur des Demosthenes*, 1830, p. 119 'Hier, wie überall, war sein Unterricht begeisternd, fördernd, und anregend für die Zukunft, oder, wie Göthe von Wolf's Vortrage sagt: *Eine aus der Fülle der Kenntniss hervortretende freie Ueberlieferung, aus gründlichstem Wissen mit Freiheit, Geist und Geschmack sich über die Zuhörer verbreitende Mittheilung*' (Werke, xxxi, p. 203; Tag- und Jahres-Hefte, 1805).—Pattison's *Essays*, i 371.

warmth of its outbreaks against Reiske, the last editor of Demosthenes. Even these were forgiven to a young scholar, who, from a truer critical standpoint, condemned the system of arbitrary emendation in which the editors of the Eighteenth Century indulged. We may remember that Porson felt bound to speak with no less severity of Reiske on this ground. In the lapse of time Wolf himself detected his own errors, and twenty-seven years afterwards (1816) advertised a corrected edition, *ab erroribus olim commissis purgatior*. But this, too, remained among unfulfilled projects'. Its immediate and subsequent influence was however great and lasting. To its direct suggestion we owe the monumental work known in this country as Boeckh's *Public Economy of Athens*[1].

The next edition which deserves mention is that of *Anton Westermann* (1806—1869), first published with German notes in the same volume as the *de Corona*, in 1850 (Weidmann, Berlin). The text is reprinted in the convenient English edition of Mr J. R. King, published by Macmillan in 1881 and said to be mainly founded on Westermann's[2] fifth edition of 1874 revised by E. Müller, which has been to some extent superseded by the edition of 1885 revised by Rosenberg. Westermann's notes are almost always terse and sensible; special attention is given to parallel passages in other speeches, and to points of history and antiquities. Occasional remarks on textual criticism are included in the explanatory notes, there being no separate *apparatus criticus*.

The most elaborate critical edition is that of *Voemel*, 1866 (Teubner, Leipzig), which supplies a revised text, a careful Latin translation, and critical notes, with a minute account of the readings of the MSS. The notes include quotations from earlier editors, and thus provide a comprehensive conspectus of all that had been done for the criticism of the text down to the date of its publication.

The speech is included in the second volume of the edition of twenty-six speeches of Demosthenes contributed by *Mr Whiston* to the *Bibliotheca Classica*, 1868. This edition has no separate *apparatus criticus*, but contains an explanatory commentary on a scale suitable to a publication which includes eight speeches in a volume of 632 pages. The entire space assigned to the πρὸς Λεπτίνην is seventy-six pages. When my own commentary was already in type, I went through the notes to this edition, and I am indebted to them for several valuable suggestions.

Lastly, we have an admirable edition by a French scholar, *Henri Weil*, published in the same volume as the *Midias*, the *de falsa legatione*, and the *de Corona*, in 1877; ed. 2, 1883. The explanatory

[1] Pattison's *Essays*, i 376.

[2] 'Die für ihren Zweck durchaus brauchbare Ausgabe gründet sich zum grossen Theil auf die Westermann'sche, deren Text einfach adoptirt ist'. Blass in Bursian's *Jahresbericht*, xxx 239.

notes are brief and suggestive, and are invariably marked by good taste and sound sense. The critical notes, which are kept within moderate limits, contain the most accurate information which we possess on the readings of the Paris MS.

The speech has been translated into German by Benseler, with critical and explanatory notes, 1857 (Engelmann, Leipzig), by Westermann (Hoffmann, Stuttgart), and by others; into French by M. Dareste, a member of the French bar, who has translated the whole of Demosthenes and added to his work a few notes of special value in connexion with points of Attic law (*les plaidoyers politiques de Démosthène*, 1879, Plon); and into English by Mr Charles Rann Kennedy, whose rendering was published in 1856, in the same volume as the *Midias*, *Androtion* and *Aristocrates*, with excellent Appendices mainly on Greek Antiquities.

Further details as to the literature of the speech are reserved for the following section.

§ 11. *Select List of Editions, Dissertations and Books of Reference.*

TEXTS.

(1) **J. G. Baiter** and **H. Sauppe**, *Oratores Attici*, in one volume 4to, Zürich, 1850. (2) **Imm. Bekker**, *Demosthenis Orationes;* stereotyped edition, 8vo, Leipzig, 1854—5 [earlier editions, Oxford 1823 and Berlin 1824]. (3) **W. Dindorf**, *Demosthenis Orationes* [Leipzig 1825, Oxford 1846] in three volumes, *editio tertia correctior*, (Teubner) Leipzig, 1855—6, reprinted in subsequent years; of all three volumes there is now an *editio quarta correctior*, revised by **F. Blass**, vol. i 1885, vol. ii 1888, vol. iii 1889. (4) **J. Th. Voemel**, *Demosthenis oratio adversus Leptinem cum argumentis, Graece et Latine; recensuit cum apparatu critico copiosissimo.* (Teubner) Leipzig, 1866.

COMMENTARIES.

I. General.

(1) **G. H. Schaefer**, *Apparatus criticus ad Demosthenem, Vincentii Obsopoei [Heidnecker, castigationes ac diversae lectiones in orationes Demosthenis, Basel,* 1534, ob. 1539], *Hieronymi Wolfii* [1572], *Joannis Taylori* [1748, 1751] *et Joannis Jacobi Reiskii* [1770—5] *annotationes tenens; commodum in ordinem digestum aliorumque et suis annotationibus auctum edidit Godofredus Henricus Schaefer.* London, 1824—7; vol. iii pp. 1—299, *annotationes ad orat. adv. Leptinem.* (2) **W. Dindorf**, Dem. ex recensione Gulielmi Dindorfii, Oxford, vol. ii [1846], *Annotationes interpretum ad Or. adv. Leptinem*, vol. vi, pp. 593—723 [1849].

II. Special.

(1) **F. A. Wolf**, *Oratio adversus Leptinem, cum scholiis veteribus et commentario perpetuo; accedit Aelii Aristidis declamatio eiusdem causae, in Germania nunc primum edita.* Halle, 1789. (2) *Editionem Wolfianam (cum Aristidis declamationibus duabus) repeti curavit et auxit* **J. H. Bremi**, Zürich, 1831. (3) *The Oration of Demosthenes against the Law of Leptines, with English notes and a Translation of*

Wolf's prolegomena, anon. 1840 (W. P. Grant); by [illegible] (Deighton and Bell), 1864. (4) **A. Westermann**, [illegible] including *De Corona* and *adv. Leptinem*, Berlin (Weidmann) [illegible] 5th (revised by E. Müller) 1874, 6th (revised by [illegible]) [illegible] **[illegible]**, *Dem. Rede gegen Leptines, Griechisch und Deutsch mit kritischen und erklärenden Anmerkungen*. Leipzig (Engelmann) 1861. (6) [illegible] 230 of ed. in *Bibliotheca Classica*. London (Bell) [illegible] (7) [illegible] *nem*. London (Macmillan) [illegible]. (8) **H. Weil**, *Les plaidoyers politiques de Démosthène,—Leptine. Midias. Ambassade. Couronne*. [illegible]

LEXICOGRAPHY AND [illegible]

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§ 12. *List of Abbreviations used in the critical notes* &c.

SIGLARIVM.

Codices

S	Parisiensis, p. xxxviii—xlii	
S^1	eiusdem manus prima	
S^2	eiusdem manus secunda	
L	Laurentianus	p. xlii
A	Augustanus primus	
Y	Parisiensis	
O	Antwerpiensis	
P	Laurentianus	
F	Marcianus	
B	Bavaricus	
X	Laurentianus	
Q	Marcianus	
t	Parisiensis	
v	,,	p. xliii
k	,,	
s	,,	
Vind. 1	Vindobonensis	

Editiones

(z)	Baiteri et Sauppii ed. Turicensis, 1850
(B)	Bekkeri ed. stereotypa, 1854
(D)	Dindorfii ed. Teubneriana, 1855
(v)	Voemelii ed., 1866
(w)	Weilii ed. altera, 1883
(Wr)	Westermanni ed. sexta, 1885
(Bl)	Blassii ed. Teubneriana, 1888.

CIG	Corpus Inscriptionum Graecarum
CIA	Corpus Inscriptionum Atticarum

De argumenti Graeci codicibus Ven. et C, cf. Voemelii prolegomena critica p. 184, et Dindorfii Addenda, vol. ix p. 851.

XX.

ΠΕΡΙ ΤΗΣ ΑΤΕΛΕΙΑΣ ΠΡΟΣ ΛΕΠΤΙΝΗΝ.

ΥΠΟΘΕΣΙΣ.

Ἡ τῶν Ἀθηναίων πόλις ἄλλοις τ' ἐτίμα τοὺς εὐεργέτας καὶ ἀτελείᾳ λειτουργιῶν. πολλῶν οὖν λαμβανόντων αὐτήν, σπάνις ἐδόκει τῶν λειτουργησόντων εἶναι. διὰ τοῦτο Λεπτίνης νόμον εἰσήνεγκεν εἶναι μηδέν' ἀτελῆ, μηδὲ τὸ λοιπὸν ἐξὸν εἶναι[a] τῷ δήμῳ δοῦναι, τὸν δ' ἀτέλειαν αἰτήσαντα πάσχειν τὰ ἔσχατα[b]. τοῦτον ἐγράψαντο τὸν νόμον πρότερον μὲν ἄλλοι, μεθ' ὧν καὶ Βάθιππος, καὶ οὐκ ἐπεξῆλθεν, ἢ χρήματα λαβὼν ἢ νόσῳ περιπεσών, νῦν δὲ Φορμίων καὶ Κτήσιππος ὁ Χαβρίου παῖς καὶ τινὲς μετ' αὐτῶν, οἷς συνήγορος Δημοσθένης γίνεται. ὁ μὲν οὖν Λεπτίνης πλέον ἰσχύει τῷ 2
452 συμφέροντι, τὴν γὰρ χρείαν προΐσχεται, ὁ δὲ Δημοσθένης τῷ τ' ἐνδόξῳ καὶ τῷ δικαίῳ, τῷ δικαίῳ μέν, ὅτι δίκαιόν ἐστι τοὺς εὖ ποιήσαντας ἀντ' εὖ πεπονθέναι, καὶ τοὺς ὀρθῶς ἀντιλαβόντας[c] τῶν δοθέντων μὴ ἀφαιρεῖσθαι, τῷ δ' ἐνδόξῳ, διότι τάχα μὲν καὶ ἄλλοις αἰσχρὸν ἃ δεδώκασιν ἀφαιρεῖσθαι,

[a] ἐξεῖναι (V). [b] πάσχειν τὰ κατὰ τοῦτον. ἐγράψαντο τοῦτον τὸν νόμον (V).
[c] ἄν τι λαβόντας (Z B): 'videndum ne praestet ἀντιλαβόντας, *eos qui pro beneficiis* prius praestitis dona acceperunt. Particula quidem parum placet' G. H. Schaefer (D V W Bl).

THE author of the first Argument is Libanius, the celebrated rhetorician of Antioch (A.D. 314—391+), whose character is sketched in the twenty-fourth chapter of Gibbon's *Decline and Fall*. He wrote a short life of Demosthenes with Arguments to his speeches, at the request of Montius, the Roman quaestor, who, according to Ammianus Marcellinus, xiv 7 § 12, was slain at Antioch in 353. These writings of Libanius have been accordingly assigned by Voemel to the time preceding the author's final departure from Constantinople.

The first Argument is quoted, with many variations, by Georgius of Alexandria (*Rhetores Graeci*, vi p. 537, Walz).

6. **ἢ χρήματα λαβὼν ἢ νόσῳ περιπεσών**] These are merely conjectures on the part of Libanius. All that we learn from Demosthenes himself is that, at the time when the speech was delivered, Bathippus was dead (§ 144). The case was accordingly taken up by his son Apsephion who is supported by his *συνήγορος* Phormion, just as Ctesippus is supported by Demosthenes. To make the Argument accurate, we should have to alter *Φορμίων*, in the next line, into *Ἀψεφίων*; we should also have to omit (with Georgius) *καὶ τινὲς μετ' αὐτῶν*, which is quite incorrect (A. Schaefer, *Dem.* i² 395 n); and lastly we should have to change *οἷς* into *ᾧ*. Demosthenes is not the *συνήγορος* of 'certain other persons'; he stands in this relation to Ctesippus alone. See, however, p. xxv.

Ἀθηναίοις δ' οὐχ ἥκιστα, οἷς ἀντ' ἄλλου γνωρίσματος τὸ μεγαλόψυχον προσεῖναι δοκεῖ. ἐπιδεικνύει δ' ὅτι καὶ παρανόμως εἰσήνεγκε τὸν νόμον· λέγει γὰρ νόμον τὸν κελεύοντ' ἀναιρεῖν πρῶτον τὸν ἐναντίον νόμον, καὶ τότ' αὐτὸν τιθέναι νόμον, ἵνα μὴ ἀλλήλοις ἐναντίοι νόμοι εὑρίσκωνται.

ΑΛΛΩΣ.

Ὁ πρὸς Λεπτίνην λόγος ἐπιγραφὴν ἔχει τοιαύτην, ἐπειδήπερ παρελθόντος τοῦ χρόνου, ἐν ᾧ ὑπεύθυνος ἦν κρίσει καὶ τιμωρίᾳ γράφων τις νόμον, ἐφαίνετο Λεπτίνης ἀκίνδυνος· ὅθεν πρὸς αὐτόν, ἀλλ' οὐ κατ' αὐτοῦ ὁ λόγος. ἡ δὲ ὑπόθεσις οὕτως ἔχει. σύνηθες ἦν τῇ πόλει τῶν Ἀθηναίων τιμᾶν τοὺς εὐεργέτας ἄλλαις τε[d] πολλαῖς καὶ διαφόροις τιμαῖς, καὶ δὴ καὶ ἀτελείᾳ. πολλῶν δὲ εἰληφότων καὶ ἀστῶν καὶ ξένων, ἐπέλειψαν οἱ λειτουργήσοντες, καὶ διὰ τοῦτο σχεδὸν τῶν λειτουργιῶν περισταμένων εἰς τοὺς ἀπόρους, Λεπτίνης τῶν πολιτευομένων ἀνὴρ οὐκ ἀδόκιμος ἔγραψε νόμον αὐτοῖς ῥήμασιν οὕτως ἔχοντα,

2 "ὅπως ἂν οἱ πλουσιώτατοι λειτουργῶσι, μηδένα ἀτελῆ εἶναι πλὴν τῶν
"ἀφ' Ἁρμοδίου καὶ Ἀριστογείτονος καὶ τῶν ἐννέα ἀρχόντων, μηδὲ τὸ λοιπὸν
"ἐξεῖναι τῷ δήμῳ αἰτηθέντι διδόναι· εἰ δέ τις ἁλῷ αἰτῶν, ἄτιμον αὐτὸν εἶναι 453
"καὶ γένος καὶ οἰκίαν[e], καὶ ὑποκεῖσθαι γραφαῖς καὶ ἐνδείξεσιν· εἰ δὲ καὶ ἐν
"τούτοις ἁλῷ, ἔνοχον εἶναι τοῖς αὐτοῖς οἷσπερ[f] οἱ δικάζοντες, ὅταν ὀφεί-
3 "λοντες τῷ δημοσίῳ δικάζωσι." τοῦ νόμου οὖν οὕτως ἔχοντος, ἐγράψατο
μὲν τὸ πρότερον Βάθιππος Λεπτίνην, ὃς ἀπέθανε πρὶν εἰσελθεῖν τὴν γραφήν. κᾆτα διετρίβη χρόνος, καὶ γέγονε Λεπτίνης ἀνεύθυνος· νόμος γὰρ ἦν τὸν γράψαντα νόμον ἢ ψήφισμα μετὰ ἐνιαυτὸν μὴ εἶναι ὑπεύθυνον. ὅμως ἐπειδὴ καὶ οὕτω κατὰ τῶν νόμων[g] ἐξῆν ποιεῖσθαι τὰς κατηγορίας, κἂν οἱ γράψαντες ἔξω κινδύνων ὦσι, μετὰ τὸν ἐνιαυτὸν ἐπέστη κατήγορος Ἀψεφίων[h] υἱὸς Βαθίππου, ᾧ συνηγόρει Φορμίων ὁ ῥήτωρ, καὶ Κτήσιππος ὁ υἱὸς Χαβρίου,

[d] ἄλλαις τε Ven (w Bl): μάλιστα cet. [e] post καὶ οἰκίαν inseruit καὶ δημοσίαν τὴν οὐσίαν Herwerden, *Mnemosyne* iii 135 n. s., *Hermes* xii 479 (collato § 156): eadem eorum in locum substitui posse observat w. Textum satis defendit Or. xix 71 ἐξώλη ποιεῖν αὐτὸν καὶ γένος καὶ οἰκίαν (Bl). [f] + καὶ (z v). [g] κατὰ τοῦ νόμου (v). [h] Ἀφεψίων (z b).

The author of the second Argument is apparently the same as the writer of the *scholia* on the speech. This may be inferred from the concluding sentence, *ἰτέον δὲ ἐπὶ τὴν μεταχείρισιν τοῦ λόγου*. The writer of the scholia is identified by Voemel (*Proleg. Crit.* § 96) as Zosimus of Ascalon. The second Argument, as is justly observed by Weil, is more accurate and more instructive, though less well written, than that of Libanius.

17. **παρελθόντος—ἀκίνδυνος**] § 144.

19. **πρὸς αὐτόν, ἀλλ' οὐ κατ' αὐτοῦ**] See *Introd.* § 5 init.

22. **ἐπέλειψαν**] Late Greek for *ἐπέλιπον*. Similarly *παρελείψαμεν* is found in Polybius xii 15, and *καταλείψας* in Lucian *D. Mer.* vii 3, and Josephus, *Ant.* xii 9, 3 (Veitch, *Gk Verbs*, s. v. *λείπω*).

25. **ὅπως ἂν—Ἀριστογείτονος**] quoted from § 127, where, however, the order of the words is *ἀτελῆ μηδέν' εἶναι*.

26. **καὶ τῶν ἐννέα ἀρχόντων**] § 27 fin. **μηδὲ τὸ λοιπὸν—διδόναι**] § 160 *μηδὲ τὸ λοιπὸν ἐξεῖναι δοῦναι*.

27. **εἰ δέ τις—δικάζωσι**] See § 156. The variations here are so considerable that the writer is not justified in introducing his reconstruction of the law with the words *αὐτοῖς ῥήμασιν οὕτως ἔχοντα*.

31. **ἀπέθανε**] § 144.

32. **διετρίβη χρόνος**, ib. *ἐξῆλθον οἱ χρόνοι*.

ᾧ συνηγόρει Δημοσθένης. τούτων οὖν κατηγόρων ἑπιστάντων, κατὰ τοῦ νόμου πεποίηνται[1] τὴν γραφήν. ἡ δὲ στάσις πραγματικὴ ἔγγραφος. κεφάλαια δὲ 4
τοῦ λόγου τὸ νόμιμον, τὸ συμφέρον, τὸ δίκαιον. ἀναγκαῖον δὲ εἰπεῖν τὰς
40 δικαιολογίας ἑκατέρων. καὶ ὁ μὲν Λεπτίνης ἰσχυρίζεται τῷ συμφέροντι διὰ τὸ περιποιεῖν [k]λειτουργούς, ἀλλὰ καὶ τῷ δικαίῳ. καὶ τῷ μὲν συμφέροντι, ὅτι ἀσύμφορον[k] ὑμῖν γίνεται, ἐὰν οἱ πένητες μόνοι λειτουργῶσιν· ἀπορήσουσι γὰρ τῷ χρόνῳ, καὶ οὐχ ἕξετε τοὺς λειτουργοῦντας· [l]τῷ δὲ[l] δικαίῳ, ὅτι οὐκ ἔστι δίκαιον[m] τοὺς μὲν ἀδεῶς πλουτεῖν, τοὺς δὲ λειτουργοῦντας ἀεὶ πένεσθαι.
45 ὁ δὲ κατήγορος ἰσχυρίζεται τῷ νομίμῳ καὶ τῷ δικαίῳ καὶ τῷ συμφέροντι. 5
454 καὶ ἔστι τὸ νόμιμον διπλοῦν, περί τε τὸ πρόσωπον καὶ τὸ πρᾶγμα. καὶ περὶ μὲν τὸ πρόσωπον, ἀφ' ὧν αὐτὸν ἐχρῆν ποιῆσαι, οὐκ ἐποίησε[n] <δέ>[o]· παρέβη γὰρ τὸν θεσμόν. θεσμὸς δέ ἐστι νόμος παρακελευόμενος πῶς δεῖ νομοθετεῖν.

[1] πεποίηνται κατὰ τοῦ νόμου (V). [k] λειτουργοὺς καὶ ὅτι ἀσύμφορον (V).
[l] ἀλλὰ καὶ τῷ (Z B V). [m] Ald Voemelii (Bl): οὐκ ἔστι (D V W): δεινόν ἐστι Morellius ex § 7 (Z B). [n] 'non ex eo orsus est unde oportuit' V. [o] inseruit Bl.

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37. **τούτων—ἑπιστάντων**] An illegitimate use of the genitive absolute, since the *κατήγοροι* are the subject of *πεποίηνται*. Similar solecisms have been noticed in the second Argument to the speech *de falsa legatione*, 336, 7; 337, 6; 338, 2, which has been attributed to the same writer.

38. **ἡ δὲ στάσις πραγματικὴ ἔγγραφος**] i.e. 'the issue joined is on a practical question and concerns a written document'. The same definition is found in the Arg. to *Androt.* p. 591, 7; and to the *De Corona* p. 224 ad fin., and the speech of Aeschines against Ctesiphon, p. 352. *στάσις* is a technical term of the Greek rhetoricians and corresponds to the *ἀμφισβήτησις* of Aristotle's Rhetoric and the *status*, or *constitutio causae*, of Latin rhetoricians. It is the issue on which the case turns. Quintilian, iii 6 § 3, is inclined to trace the use of the term to Aeschines who in the speech against Ctesiphon, § 206, "borrows from wrestling the term *στάσις*, the position or attitude which the wrestler was obliged to assume, and applies it to the *real question at issue*, from which he charges Demosthenes with straying. The name he explains either, like Cicero and Aeschines, as *primus causae congressus*, the position or posture for resisting an attack [*Topica*, 92—94, 'in quo primum insistit quasi ad repugnandum congressa defensio'], or *quod in hoc causa consistat*, the 'real gist' and 'essence' of the case." (Cope's *Introduction to Ar. Rhet.*, p. 400.) The latter explanation is the one accepted in Volkmann's *Rhetorik* § 4, p. 38, ed. 1885.

The epithet *πραγματικὴ* is explained by Hermogenes, *περὶ τῶν στάσεων* (*Rhetores Graeci*, ii 139 Spengel): *ἂν μέντοι φανερὸν ᾖ καὶ τέλειον τὸ κρινόμενον, ἡ ζήτησις περὶ τὴν ποιότητα τοῦ πράγματος ἵσταται, οἷον εἰ δίκαιον, εἰ συμφέρον, εἰ ἔννομον ἢ τι τῶν τούτοις ἐναντίων, καὶ ὄνομα μὲν γενικὸν τούτῳ ποιότης, ἤτοι δὲ περί τι πρᾶγμα ἔχει τὴν ζήτησιν ἢ περὶ ῥητόν, κἂν ᾖ περὶ ῥητόν, νομικὴν ποιεῖ τὴν στάσιν, περὶ ὧν ὕστερον ἐροῦμεν· ἐὰν δὲ περὶ πρᾶγμα, λογικήν. διαιρήσεις δὲ καὶ τοῦτο δίχα· ἢ γὰρ περὶ μέλλοντος πράγματος ἔχει τὴν ζήτησιν ἢ περί τινος ἤδη γεγονότος, κἂν μὲν περὶ μέλλοντος, ἔσται πραγματική. πραγματικὴ γάρ ἐστιν ἀμφισβήτησις περὶ πράγματος μέλλοντος, εἰ δεῖ γενέσθαι τόδε τι ἢ μὴ γενέσθαι, δοῦναι ἢ μὴ δοῦναι.*

For *ἔγγραφος*, cf. Scholiast on *Androt.* p. 104 Baiter and Sauppe, *ἡ στάσις τοῦ λόγου πραγματική. πᾶσα γὰρ κατηγορία νόμου ἢ ψηφίσματος ἢ τινος ἐγγράφου, περὶ μελλόντων ἔχουσα τὴν σκέψιν, πραγματικὴν ποιεῖται τὴν στάσιν.* (See Volkmann's *Rhetorik*, pp. 82, 83.) The same explanation is given by a Scholiast on *Lept.* p. 661 Dindorf.

39. **τὸ νόμιμον**, §§ 88—133; **τὸ συμφέρον**, §§ 18—28; **τὸ δίκαιον**, §§ 29—87.

48. **θεσμὸς**] *τὸ ὅλον σύνταγμα τῆς πολιτείας. διαφέρει δὲ θεσμὸς νόμου· ὁ γὰρ θεσμός ἐστι τοῦ Δράκοντος, ὁ δὲ νόμος τοῦ Σόλωνος* (Bekker's *Anecdota*, λέξεις ῥητορικαί, p. 264). Andocides 1 § 83 *νόμοις δὲ χρῆσθαι τοῖς Σόλωνος...καὶ τοῖς Δράκοντος θεσμοῖς.*

ἔδει γὰρ αὐτὸν γράψαντα τιθέναι ἔμπροσθεν τῶν ἐπωνύμων καὶ ἐν νομοθέταις κυρῶσαι. τοῦτο οὐκ ἐποίησε. περὶ δὲ τὸ πρᾶγμα, ὅτι παρέβη ὁ νόμος οὗτος παλαιὸν νόμον, τὸν λέγοντα τὰς τοῦ δήμου δωρεὰς εἶναι βεβαίας· ὑπεναντίος οὖν [p]τῷ νόμῳ οὗτός ἐστιν, ὅτι κελεύοντος ἐκείνου[p], ὅσας ὁ δῆμος δέδωκε
6 δωρεάς, κυρίας εἶναι, οὗτος ἀφαιρεῖσθαι τὰς δεδομένας βιάζεται. τῷ δὲ δικαίῳ ἰσχυρίζεται, ὅτι οὐ δεῖ τοὺς εὐεργέτας ἀποστερεῖν ἀμοιβῶν[q]. τῷ δὲ συμφέροντι τριχῶς ἰσχυρίζεται, πρῶτον μέν, ὅτι ἀσύμφορον ὑμῖν γενήσεται, ἐὰν τοὺς εὐεργέτας ἀφαιρῆσθε τὴν δωρεάν· οὐκέτι γὰρ ὁ Λεύκων πέμψει ὑμῖν τὸν σῖτον[r] ἐκ τοῦ Βοσπόρου. δεύτερον δέ, ὅτι ἀσύμφορον ὑμῖν ἔσται· οὐκέτι γὰρ εὐεργετήσει τις τὴν πόλιν, στερουμένους τῆς δωρεᾶς ὁρῶν τοὺς ἄλλους. τρίτον δέ, ὅτι ἀδοξήσετε· δόξετε γὰρ ἀγνώμονες εἶναι.
7 Ἔστι δὲ ὁ λόγος οὗτος δευτερολογία· ὁ Ἀψεφίων[h] γὰρ ὡς πρεσβύτερος ἔλαβε τὴν πρωτολογίαν. οὐκοῦν ὁ Λεπτίνης προηγουμένως τῷ συμφέροντι χρῆται, φάσκων ἐν σπάνει καθεστάναι τὴν πόλιν τῶν λειτουργούντων, δευτέρῳ δὲ τῷ δικαίῳ, ὅπερ ἀπὸ τῆς ἰσότητος θεωρεῖται· πάνυ γάρ, φησίν, ἐστὶ δεινόν, τινὰς μὲν πλουτεῖν ἀτελείας ἐπειλημμένους, τὴν πόλιν δὲ μηδὲ 455
8 τῶν λειτουργούντων εὐπορεῖν. προβάλλεται δὲ ὁ ῥήτωρ τῷ μὲν δοκεῖν τὴν κατηγορίαν τοῦ νόμου, συννοδύεται δὲ καὶ κατασκευάζει καὶ τὴν σύστασιν τοῦ οἰκείου νόμου. ἐν γὰρ τῷ νομίμῳ κεφαλαίῳ καθίστησιν, ἀνταναγινώσκων καὶ ἀντιτιθεὶς καὶ ἀντεξετάζων ἀμφοτέρους τοὺς νόμους, καὶ τὸ διάφορον ὅσον δεικνύς. ἵνα δὲ μὴ ἐξαίφνης μηδὲ ἀναρμόστως παρέχηται [s]τὸν νόμον, τὴν σύστασιν[s] ἐκ πολλοῦ παρεσκεύασε. καὶ ἡ πρώτη γε ἀντίθεσις τοῦ λόγου τῷ μὲν δοκεῖν ἔστι παρὰ Λεπτίνου, τῇ δ' ἀληθείᾳ πρὸς σύστασιν τοῦ οἰκείου συμφέροντος ἐξεύρηται, ἵνα φαίνηται ὁ ἀντίδικος τὸν Δημοσθένους εἰσάγων
9 νόμον. τί γὰρ ὁ Δημοσθένους βούλεται νόμος; τὰς δωρεάς, ὅσας ὁ δῆμος ἔδωκε, κυρίας εἶναι, τοὺς δὲ ἔχοντας κρίνεσθαι, ἵν', εἰ μὲν ἄξιοι, ἔχωσιν, εἰ δὲ ἀναξίως ἔχειν δοκοῖεν, ἐλεγχθέντες ἀφαιρεθῶσιν. οὐκοῦν αὐτὸς ὁ Λεπτίνης

[p] editionis Parisinae exemplum Thierschii secutus Bl: *τῶν νόμων...κελευόντων ἐκείνων.* [q] *ἀμοιβῶν* C al (V W Bl), § 6 *μὴ τοῖς ὁμοίοις ἀμειβόμενοι*: *δωρεῶν* (Z B D).
[r] *τὸν σῖτον ὑμῖν* (Z B V). [s] Ald Voemelii (Bl): *τῶν νόμων τὴν σύστασιν*, (ceteri).

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49. **ἔδει—κυρῶσαι**] § 94.
51. **τὰς τοῦ δήμου δωρεὰς εἶναι βεβαίας**] § 96.
53. **ἀφαιρεῖσθαι...βιάζεται**] 'vi eripere studeat', Voemel.
56. **Λεύκων**] §§ 29—40.
59. **ἀγνώμονες**] § 10 *ἀχαρίστους*.
64. **δεινόν—εὐπορεῖν**] § 24.
66. **συννοδύεται—οἰκείου νόμου**] i.e. 'he also covertly insinuates his own view and prepares the way for commending his own law'. The sense of the two verbs is equivalent to *λανθάνει κατασκευάζων*, or *λάθρα κατασκευάζει*. In the best Greek authors *σύστασις* is not found in the sense of 'recommendation'.
67. **τῷ νομίμῳ κεφαλαίῳ**] Esp. §§ 88—101.
70. **ἡ πρώτη γε ἀντίθεσις** *κ.τ.λ.*] The very first objection in the speech is apparently raised on the part of Leptines. For *ἀντίθεσις* in this sense, see Apsines, in Spengel's *Rhet. Gr.* i 360—365, esp. 363, 27 *ἐνίοτε δὲ καὶ ἡ μία ἀντίθεσις πλεονάκις εἰσάγεται, ὡς ἐν τῷ πρὸς Λεπτίνην· τίς γὰρ ἦν ἀντίθεσις, ὅτι ἀνάξιοί τινές εἰσι τῆς ἀτελείας. τοῦτο πολλάκις εἰσήγαγεν* (§§ 1, 38, 131). It is defined by Nicolaus Sophistes, iii 450 Sp, as *ἡ παρὰ τοῦ ἀντικειμένου προσώπου ἔνστασις κ.τ.λ.*

τὸν Δημοσθένους νόμον κεκύρωκεν. [b]τί γὰρ αἰτιᾶται κατ' ἀρχὰς εὐθύς;[b] ὅτι πολλοὶ τῶν εἰληφότων εἰσὶν ἀνάξιοι. οὐκοῦν ἔχει τὸν Δημοσθένους νόμον <τὸν>[y] τοὺς ἀναξίους ἐκκρίνοντα. καὶ· διὰ τοῦτο πανταχοῦ[x] κατέσπαρται· ὁ γὰρ πολὺς περὶ αὐτοῦ λόγος ἐθίζει τοὺς δικαστὰς πρὸς τὴν τοῦ νόμου μετὰ μικρὸν ἀνάγνωσιν. ἰδὼν δὲ ὅτι Λεπτίνης ἐκεῖνον ἔχει [τὸν][y] ἰσχυρότατον 10
456 λόγον, ὡς ἂν οἱ πλουσιώτατοι λειτουργῶσιν, ἀτελῆ μηδένα[z] εἶναι, οὐ ταύτην ἔθηκε προηγουμένην ἀντίθεσιν, ἀλλὰ τὴν λυσιτελοῦσαν αὐτῷ[a] καὶ τὴν μέλλουσαν εἰσφέρειν τὸν παρ' αὐτοῦ[a] νόμον. ὅταν γὰρ λέγῃ "καὶ τούτῳ "πλείστῳ χρήσεται τῷ λόγῳ", σοφίζεται τοὺς ἀκούοντας· οὐ γὰρ τῷ περὶ τῶν ἀναξίων πολλῷ χρήσεται λόγῳ, ἀλλὰ τῷ δηλονότι σπανίζειν τὴν πόλιν τῶν λειτουργούντων, καὶ τῷ συμφέρειν μετατιθέναι τὰς λειτουργίας ἀπὸ τῶν ἀπόρων εἰς τοὺς εὐπόρους.

Ἔστι δὲ τὸ μὲν εἶδος τοῦ λόγου δικανικόν, εἴ γε κρίσις ἐστὶν ἐπὶ τῷ 11
νόμῳ[b], ἡ δέ γε ὕλη πᾶσά ἐστι διπλῆ, καὶ ταύτης ἡ μέν ἐστι δικανική, ἡ
90 δὲ συμβουλευτική. εὕροις δ' ἂν οὐδὲ πανηγυρικῆς ἰδέας ἀμοιροῦντα τὸν λόγον, ἐν οἷς πειρᾶται σεμνύνειν ἕκαστον τῶν εὐεργετῶν· καὶ γὰρ ἐνταῦθα εὑρήσεις ἄξια τῶν ἀνδρῶν ἐγκώμια, καὶ λόγους εὐφήμους[c] ἁρμόττοντας ταῖς ἐκείνων πράξεσιν, οἷον ὡς ὅταν ἐμπομπεύῃ τοῖς Κόνωνος καὶ Χαβρίου κατορθώμασι καὶ τοῖς Ἐπικέρδους καὶ τῶν ἐκ Θάσου καὶ Κορίνθου καὶ Λεύκωνος.
95 ἰτέον δὲ ἐπὶ τὴν μεταχείρισιν τοῦ λόγου.

[b] Bl : *τί γάρ*; *αἰτιᾶται* F. A. Wolf (Z D V W) : *ἔτι γὰρ αἰτιᾶται* (B). [y] addidit Bl.
[x] *διὰ τοῦτο πάντων* Ald etc. (Z B) : *τοῦτο διὰ πάντων* coniecit H. Wolf.
[y] 'malim abesse' Sauppe. [z] *μηδένα ἀτελῆ* (Z B V). [a] *αὐτῷ...αὐτοῦ* (B V). [b] *ἐπὶ τὸν νόμον* (Z B). [c] *εὐφήμους* Vind. 7 (Bl) : *εὐφήμως* (ceteri).

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83. **καὶ τούτῳ—λόγῳ**] § 1 ad fin.

89. **ὕλη**] 'matter', 'that which is capable of receiving form (*εἶδος*)', here contrasted with *εἶδος*.

90. **πανηγυρικῆς ἰδέας**] The speech not only has a 'forensic' and a 'deliberative' element, but also participates to some extent in the 'epideictic' (or 'declamatory') type of oratory. The rhetoricians from Aristotle downwards divide speeches into three classes, the *γένος δικανικόν*, *συμβουλευτικόν*, *ἐπιδεικτικόν*. The writer of the argument points out that the speech has some of the characteristics of the second and third classes, although in form it belongs to the first alone.

93. **ἐμπομπεύῃ**] *se iactitat* (Voemel); 'exults in the victories of Conon, &c.' The verb is confined to late Gk, e.g. Lucian *adv. Indoctum*, 10, *μάτην ἐμπομπεύσαντος τῇ κιθάρᾳ*, and the Schol. on p. 460, 13 *μὴ βουληθεὶς ἐμπομπεῦσαι ταῖς τῆς πόλεως συμφοραῖς*. The orator, while eulogising the achievements of Conon &c., is here compared to one who advances with exultation amid a festal pageant or *πομπή*. So Cicero in the *Orator* § 42 describes the epideictic class of oratory as *pompae quam pugnae aptius*.

Κόνωνος] §§ 68—74. **Χαβρίου**, §§ 75—86; **Ἐπικέρδους**, §§ 40—47; **Θάσου**, § 59; **Κορίνθου**, §§ 52—54; **Λεύκωνος**, §§ 29—40.

Ἄνδρες δικασταί, μάλιστα μὲν εἵνεκα[a] *τοῦ νομίζειν συμφέρειν* 457
τῇ πόλει[b] *λελύσθαι τὸν νόμον, εἶτα καὶ τοῦ παιδὸς εἵνεκα*[c] *τοῦ*

[a] *εἵνεκα* S L, Hermogenes, *Rh. Gr.* iii p. 268 Walz, Demetrius, ib. ix pp. 7, 13, 104 (Z B V W Wr Bl), cf. Voemel, *Proleg. Gram.* § 116: *ἕνεκα* Hermogenes, ib. iii p. 70, anonymus ib. vii p. 60 (D). Tot syllabarum brevium concursus Demostheni displicet. Ceterum *ἕνεκα* pedestri in sermone semper exhibent inscriptiones Atticae, *εἵνεκα* in carminibus tantum admittunt. Delendum esse censuit Herwerden. [b] *τῇ πόλει* MSS, Demetrius *π. ἑρμ.* §§ 10, 20 (Z B D V W): secludit Wr; cum Aristide ix p. 404 et Hermogenis codicibus Parisinis et Monacensi omisit Bl. [c] *εἵνεκα* S, Hermogenes iii p. 269 (Z B V W Wr Bl): *ἕνεκα* Doxopater *Rh. Gr.* ii p. 333 (D). [d] *ὡς ἂν* codicum lectionem primus

§ 1. The prooemium here consists of a single sentence. Nicolaus Sophistes, iii 473 Sp, *ἐν τῷ πρὸς Λεπτίνην, εἰ καὶ βραχύ, ὅμως γοῦν οἷον προοίμιον ἔταξε.* The absence of a formal prooemium of the customary type is due to the fact that the speech follows immediately after that of another speaker on the same side. The ordinary topics of a prooemium were doubtless fully represented in the preceding speech. We have instances, however, of a *δευτερολογία* being introduced by a proper prooemium in the speeches against Androtion and Timocrates. Of the present speech it is remarked by Photius, *Bibl.* 265 p. 492, 29, *τὸ προοίμιον Λογγῖνος μὲν ὁ κριτικὸς ἀγωνιστικὸν νομίζει, ἕτεροι δὲ οὐκ ὀρθῶς ἔφασαν τὸ προοίμιον ἠθικὸν εἶναι.* Photius apparently regarded the *προοίμιον* as extending over the first four sections.

ἄνδρες δικασταί] Probably the only other speeches in which these words stand at the very beginning are Or. 32 *Zenoth.*, and Isaeus Or. 3. The court in this case consists of one of the ordinary panels of 500 jurymen. In the present instance they are presided over by the six junior Archons, the Thesmothetae.

συμφέρειν] Leptines had relied on the plea of expediency. The opening words of the present speech shew that the same plea can be also maintained by the opposite side. The law of Leptines had been attacked by a *γραφὴ παρανόμων*, and the previous speaker, Phormion, had doubtless dwelt on the legal objections to that law, and similar objections are urged by Demosthenes himself at a later point. But, at the beginning of the speech, such considerations were less likely to win the ear of the audience than the profession, at the very outset, of being influenced in the main by the public interest.

λελύσθαι] The perfect implies by anticipation the immediate and complete abrogation of the law; inf. § 28 ad fin. So after *συμφέρει* Or. 2 § 5; 8 § 3; and after *λυσιτελέστερον* inf. 14; also after *φημὶ δεῖν* in Or. 4 (*Phil.* i) § 19 *ταῦτα μέν ἐστιν ἃ πᾶσι δεδόχθαι φημὶ δεῖν καὶ παρεσκευάσθαι προσήκειν οἶομαι*, 14 § 17; 59 § 17; and after *δεῖ*, 8 § 43; inf. 141; 21 §§ 105, 120; 23 § 115 (Rehdantz, *Indices*, s.v. Infinitiv).

τοῦ παιδὸς...τοῦ Χαβρίου] Ctesippus. Singularly enough, the name is never mentioned in the speech; and it has been suggested by Athenaeus that the orator's omission of the name is due to the bad character of his client; iv p. 165 § 60 *Κτήσιππος ὁ Χαβρίου υἱός, εἰς τοσοῦτον ἦλθεν ἀσωτίας, ὡς καὶ τοῦ μνήματος τοῦ πατρὸς εἰς ὃ οἱ Ἀθηναῖοι χιλίας ἀνάλωσαν δραχμάς, τοὺς λίθους πωλῆσαι εἰς τὰς ἡδυπαθείας...* ib. 166 *τάχ' οὖν διὰ τὴν πολλὴν ταύτην ἀσωτίαν καὶ κιναιδίαν τοὔνομ' αὐτοῦ παρέλιπε Δημοσθένης ἐν τῷ περὶ ἀτελειῶν.* But Chabrias had died only two years before, during the siege of Chios in 357, and at that date the son was under age (§ 82 *ἐν ὀρφανίᾳ τέθραπται*). Thus the bad character of the son had hardly had time to declare itself. The real reason why here and in § 75 the orator calls his client *παῖς Χαβρίου* is because that title appeals directly to the sympathy of the court; and even from a purely legal point of view that title is the best, for it is not in his own right but solely as his father's son that Ctesippus has any claim to the *ἀτέλεια*.

The supposition that the interest which Demosthenes took in the case was due to the orator's paying his addresses to the general's widow is mentioned by Plutarch (*Dem.* 15) only to be dismissed with the remark: 'at any rate he did not marry her'.

The words in the text must not be translated 'the *son* of Chabrias (*τοῦ υἱέος ...τοῦ Χ.*), but 'Chabrias' *boy*'. An examination of Isocr. Or. 19 and Isaeus Or. 7 will shew that *παῖς* is not synonymous with *υἱός*. Plato's phrase *ὦ παῖ*

Χαβρίου, ὡμολόγησα τούτοις, ὡς ἂν[d] *οἷός τ' ὦ, συνερεῖν*[e]. *ἔστι δ' οὐκ ἄδηλον, ὦ ἄνδρες Ἀθηναῖοι, τοῦθ', ὅτι Λεπτίνης, κἂν τις ἄλλος ὑπὲρ τοῦ νόμου λέγῃ, δίκαιον μὲν οὐδὲν ἐρεῖ [περὶ αὐτοῦ]*[f]*, φήσει δ' ἀναξίους τινὰς ἀνθρώπους*[g] *εὑρομένους ἀτέλειαν ἐκδεδυκέναι τὰς λῃτουργίας*[h]*, καὶ τούτῳ πλείστῳ χρήσεται τῷ λόγῳ. ἐγὼ δ' ὅτι μὲν* 2

revocavit Taylor; Felicianum et Morellium secuti legebant *ἄν*. 'semel nomen professus in oratoribus non potuit dicere *ἂν οἷός τ' ὦ*. Debuit, si modestiae laudem in ipso orationis exordio captare vellet, *ὡς ἂν οἷός τ' ὦ*' (G. H. Schaefer).
[e] *συναιρειν* S[1]. [f] *περὶ αὐτοῦ* seclusit W, omiserunt Wr et Bl 'cum Apsin. ix p. 506 W, Hermogen. iii p. 292 qui de clausula diserte testatur, schol. Herm. vi 347; tamen interpolatum est apud eundem Hermogenem p. 109, 289, 428'. [g] om. Bl cum Parisinis et Monacensi Hermogenis p. 428. [h] *λητουργίας* et similia passim W Bl, aetatis Demosthenicae inscriptionibus freti: λειτ- ceteri, codices secuti.

Κλεινίου is a purely poetic form of address and would not justify our treating *παῖς* as synonymous with *υἱός* in the present passage. Cf. §§ 75, 82, and *Steph.* i § 70 *τὸν Ἀρχεδήμου παῖδα* and *Androt.* 60 *τὸν Τελέστου νεανίσκον* (Blass, *Jahrb. f. Phil.*, 1887, p. 717). In *Mid.* 165 the right reading is *Νικήρατος...ὁ τοῦ Νικίου, ὁ ἀγαπητός, ὁ ἅπαις*. It is only a proposal of Dindorf's to read *ὁ τοῦ Νικίου ἀγαπητὸς παῖς*.

τούτοις] Ctesippus and Apsephion. The dative must be taken, not with *ὡμολόγησα*, but with *συνερεῖν*. Isaeus 4 § 1 *εἰκὸς οὖν μοι δοκεῖ εἶναι, ὡς ἂν οἷός τε ὦ, συνειπεῖν αὐτοῖς*.—**συνερεῖν**, the ordinary future of *συναγορεύειν* (=*συνήγορος εἶναι*). See Cobet, *Var. Lect.* p. 36, and *Mnemosyne*, N. S. ii 127 ff.; also Rutherford's *New Phrynichus* 326 ff.

ὡς ἂν οἷός τ' ὦ, συνερεῖν] Rhythmical endings like that in the text are considered by Hermogenes as characteristic of *κάλλος λέξεως*: *Rhetores Graeci* ii 342 Sp, *τοῦ χάριν οὐκ εἶπεν, ὡμολόγησα τούτοις, ὡς ἂν οἷός τε ὦ, συνειπεῖν; ἐγὼ μὲν γὰρ ἡγοῦμαι διὰ τὸ μὴ ὅμοιον ἂν γενέσθαι τὸν ἦχον, εἰς μακρὰς πάσας εἰ κατέληγεν, ὃ ἐστι τοῦ βεβηκότος ῥυθμοῦ. οὐ μήν, ἀλλ' εἴτε βεβηκὼς εἴτε μὴ ὁ τοιοῦτος εἴη ῥυθμός, ἵνα μὴ πάντῃ τῷ Διονυσίῳ, ὃς δοκεῖ περὶ λέξεώς τι πεπραγματεῦσθαι, ἀντιλέγωμεν, δῆλον ὡς τοῦ κάλλους ἐστὶν ἴδιος κ.τ.λ.* The same clause is quoted by Demetrius as an example of the modern *δεινότης* which avoids the characteristics of the archaic style. iii 315 Sp, § 245, *ἐν δεινότητι φεύγειν δεῖ τὸ ἀρχαιοειδὲς καὶ τοῦ ἤθους καὶ τοῦ ῥυθμοῦ, καὶ καταφεύγειν μάλιστα ἐπὶ τὴν νῦν κατέχουσαν δεινότητα· τῶν οὖν κώλων αἱ τοιαῦται ἀποθέσεις, ὡμολόγησα τούτοις, ὡς ἂν οἷός τε ὦ, συνερεῖν, ἔχονται μάλιστα οὗ εἴρηκα ῥυθμοῦ* (cf. Blass, *Att. Ber.* iii 119).

Neither of the above rhetoricians notices that such an ending as *ὡς ἂν οἷός τ' | ὦ συνειπεῖν* would have involved a monotonously metrical conclusion.

ἔστι δ' οὐκ ἄδηλον—] This anticipation of the argument which will be used on the opposite side is known in rhetoric as the figure *πρόληψις*, *anteoccupatio*. It may be represented, says Hermogenes, ii 444 Sp, either as a matter of *ἐπιστήμη* (as *οἶδα ὅπερ νὴ Δί' ἐρεῖ*), or of *δόξα* (as *τάχα τοίνυν ἴσως ἐρεῖ*), or of *ἀκοή* (as *πυνθάνομαι τοίνυν μέλλειν αὐτὸν λέγειν*). The present instance he brings under the head of *ἐπιστήμη*: 445 *ἐν τῷ περὶ τῆς ἀτελείας ἰσχυρότατον προτείνων τοῦ Λεπτίνου κεφάλαιον, τὸ τῆς ἀξίας, τῇ ἐπιστήμῃ προέτεινεν οὕτως.*

δίκαιον μὲν οὐδὲν—τῷ λόγῳ] The orator finds it convenient to represent the unworthiness of a certain number of the privileged persons as the principal, and almost the only, argument that Leptines can urge in favour of his law. We shall see below that he had other and stronger arguments: even in the terms of his law, he had appealed to another reason, *ὅπως ἂν οἱ πλουσιώτατοι λῃτουργῶσιν* (§ 127). Thus it is with good reason that the writer of the second Argument says of Demosthenes: *σοφίζεται τοὺς ἀκούοντας*. But Aristides, in his declamation against Demosthenes (ii p. 612 *f* Dindorf), goes too far in protesting that the orator is misleading his audience and that Leptines himself never dreamed of resorting to so feeble an argument (Weil).

τις ἄλλος] any one else among the *σύνδικοι* appointed by the state to defend the law, § 146. **εὑρομένους ἀτέλειαν**, 15 *τῶν εὑρισκομένων τὰς δωρειάς*, 23, *Aristocr.* § 125 *ταῦτα εὑρισκόμενος*. **ἐκδεδυκέναι**, 'shirked'. **λῃτουργίας**. *Introd.* § 2, p. iii.

§ 2. **ἐγὼ δ'—ἐάσω**] Quoted by Dio-

τινῶν κατηγοροῦντα πάντας ἀφαιρεῖσθαι τὴν δωρειὰν[1] *τῶν ἀδίκων ἐστίν, ἐάσω· καὶ γὰρ εἴρηται τρόπον τινά, καὶ ὑφ' ὑμῶν ἴσως γιγνώσκεται· ἀλλ' ἐκεῖν' ἂν ἐροίμην ἡδέως αὐτόν, τίνος εἵνεκ', εἰ τὰ μάλιστα μὴ τινὲς ἀλλὰ πάντες ἦσαν ἀνάξιοι, τῶν αὐτῶν ἠξίωσεν ὑμᾶς τε καὶ τούτους. ἐν μὲν γὰρ τῷ γράψαι "μηδὲν εἶναι ἀτελῆ",*

[1] δωρειὰν ubique W et Bl, aetatis Demosthenicae inscriptiones secuti (in oratione de Corona, § 91, δωρίας S, δωριὰς L, ed. Voemel, p. ix): δωρεὰν MSS.

nysius Hal., *de Comp.* 9, with the remark *μεμείωται γὰρ κἀνταῦθα τῶν δυοῖν κώλων ἑκάτερον· αὐτοτελὴ δ' ἂν ἦν, εἰ ταῦτα οὕτως ἐξήνεγκεν· ἐγὼ δ' ὅτι μὲν τινῶν κατηγοροῦντα, ὡς οὐκ ἐπιτηδείων ἔχειν τὴν ἀτέλειαν, πάντας ἀφαιρεῖσθαι καὶ τοὺς δικαίως αὐτῆς τυχόντας, τῶν ἀδίκων ἐστίν, ἐάσω. ἀλλ' οὐκ ἐδόκει τῷ Δημοσθένει πλείονα ποιεῖσθαι λόγον τῆς ἀκριβείας τῶν κώλων, ἢ τῆς εὐρυθμίας.* The same sentence is quoted by Hermogenes *περὶ μεθόδου δεινότητος* 7 (ii 431 Spengel's *Rh. Gr.*) as an example of *παράλειψις τῶν γνωρίμων.*

τινῶν] emphatic, and therefore not enclitic.

ἀφαιρεῖσθαι] used in the middle voice almost throughout the speech, e.g. §§ 4, 8, 17, 18, 23, 25, 29, 34. The active and middle are combined in § 66. The passive *ἀφῃρῆσθαι* occurs in § 3; *ἀφαιρεθῆναι*, 4.

τὴν δωρειὰν] the bounty, i.e. *τὴν ἀτέλειαν*. The generic term *δῶρον* being often used in a bad sense, of bribes, another word became necessary to express a gift of an honourable kind; and that word is *δωρειά*, which is always used in a good sense.—*δωρειὰ* is the form best attested by inscriptions before and during the time of Dem., being found in two after 444 B.C. (CIA i 8, 20; iv 25 *a* 5), and in one about 403 B.C. (ii add. 1 *b* 23); also after 350 (add. 115 *b* 2), in 343 (115, 3), in 347—342 (Dittenberger's *Sylloge* 101, 20, 23), 341 (CIA 872 B 2), 286 (311, 51).—*δωρεὰ* is first found in 403 B.C. (CIA ii add. 1 *b* 32), and afterwards in 343, 336, 334, 307, 300, 287, thrice in 286 (CIA 311, 16 and 23, and 312, 26), and in 284 &c. Thus it becomes the predominant form in and after 286 (Meisterhans, *Grammatik der Attischen Inschriften*, ed. 1888, p. 31).

In the *Greek Etymology* of Curtius, 594, among forms 'where we cannot be sure that the *ε* is not a shortening of the diphthong *ει*' is mentioned '*δωρεὰ* with the Hesychian by-form *δωριά*'. It is also observed that the word may be placed without hesitation, if only by virtue of its accent, among the collectives in *-ja* exemplified by the Sanskrit *gav-já*, 'a herd of cows', cf. *ἀνθρακ-ιά, μυρμηκ-ιά, νεοττ-ιά.* 'Accordingly *δωρ-εά* properly means a number of gifts.' (The collective sense of the word may be noticed in § 146.) Cf. *γενεά*, 'the sum of people of the same age', originally *γενεσ-ja*, then *γενεια*, then *γενεά*. Similarly 'we ought probably to assume for *δωρεά* an older form *δωρε-ιά*, where the *ε* may be regarded as a weakening of the stem-vowel *o* (cf. *χρύσε-ιος, οἰκε-ῖος*)'.

τῶν ἀδίκων ἐστίν] neuter. For similar genitives neuter after *εἶναι*, cf. 16 *τῶν καλῶν ἐστι*, 65 *τῶν αἰσχίστων ἐστι*, 135 *ἔν τι τῶν αἰσχρῶν ἐστι*, *Ol.* 2 § 2 *ἔστι τῶν αἰσχρῶν μᾶλλον δὲ τῶν αἰσχίστων*, Isaeus 6 § 97 *ὡς ἔστιν ἔν τι τῶν αἰσχρῶν*, Aeschin. 1 § 2 *ἔν τι τῶν αἰσχίστων* (*καλλίστων* ib. 143, 151) *εἶναι*, Dem. *Ol.* 1 § 26 *τῶν ἀποπωτάτων ἂν εἴη* (Rehdantz, *indices*, s.v. neutrum). Kühner, *Gr. Gr.* ii 317.

εἴρηται] by the previous speaker, Phormion.

ἴσως, *fortasse*, does not imply a real doubt, but only (like *δήπου*) a polite assumption:—'I presume', as in §§ 73, 75, 105, 161, 162.

p. 9, l. 2. **ὑμᾶς**, sc. *ἀφεῖλετο*. The hiatus in *δοῦναι ὑμῖν*, and the repetition of the previous *ἐξεῖναι δοῦναι*, have suggested the omission of *ὑμῖν ἐξεῖναι*. But Demetrius, *π. ἑρμ.* § 246, quotes the passage as it stands, as an instance of *δεινότης* arising from harshness of sound, *δεινὸν γὰρ πολλαχοῦ καὶ τὸ δύσφθογγον, ὥσπερ αἱ ἀνώμαλοι ὁδοί.*

The orator here identifies the *δικασταί* in the present trial with the *δῆμος* in general, insinuating that the law of Leptines attacks the sovereign right of the *δῆμος* to give of its own to any one it pleases. Here, as elsewhere, his obvious object is to raise a prejudice against Leptines: *συγκρούει τοῖς δικασταῖς τὸν Λεπτίνην, πόλεμον αὐτῷ πρὸς τοὺς καθημένους ἐγείρων* (Scholiast).

τοὺς ἔχοντας ἀφείλετο τὴν ἀτέλειαν, ἐν δὲ τῷ προσγράψαι "μηδὲ "τὸ λοιπὸν ἐξεῖναι δοῦναι", ὑμᾶς τὸ δοῦναι ὑμῖν ἐξεῖναι[j]. οὐ γὰρ ἐκεῖνό γ' ἔνεστιν[k] εἰπεῖν, ὡς τὸν αὐτὸν τρόπον, ὅνπερ τοὺς ἔχοντας [ἀφείλετο][l] τὴν δωρειὰν ἀναξίους ἐνόμιζεν[m], οὕτω καὶ τὸν δῆμον ἀνάξιον ἡγεῖτο κύριον εἶναι τοῦ δοῦναι[n], ἐάν τῳ βούληται. ἀλλὰ 3
458 νὴ Δία ἐκεῖν' ἂν ἴσως εἴποι πρὸς ταῦτα· ὅτι διὰ τὸ[o] ῥᾳδίως ἐξαπατᾶσθαι τὸν δῆμον, διὰ τοῦθ' οὕτως ἔθηκε τὸν νόμον. τί οὖν κωλύει πάντ' ἀφῃρῆσθαι καὶ ὅλως τὴν πολιτείαν ὑμᾶς κατὰ τοῦτον τὸν λόγον; οὐ γὰρ ἔστ' ἐφ' ὅτου[p] τοῦτ' οὐ πεπόνθατε τῶν πάντων, ἀλλὰ καὶ ψηφίσματα πολλὰ πολλάκις ἐξαπατηθέντες κεχειροτονήκατε, καὶ συμμάχους ἤδη τινὰς ἥττους ἀντὶ κρειττόνων ἐπείσθητ' ἑλέσθαι, καὶ ὅλως ἐν οἷμαι πολλοῖς οἷς πράττετε καὶ τοιοῦτό τι συμβαίνειν ἀνάγκη. ἆρ' οὖν θησόμεθα νόμον διὰ 4
ταῦτα "μηδὲ τὸ λοιπὸν ἐξεῖναι τῇ βουλῇ μηδὲ τῷ δήμῳ μήτε

[j] ὑμῖν ἐξεῖναι secl. H. Wolf et F. A. Wolf (D Wr): defendunt Demetrius π. ἑρμ. § 246, Hermog. pp. 152, 155, Tiberius p. 553. [k] ἔνεστιν codices fere omnes (Z B D V W Wr): ἔστιν A, Apsines ix p. 503 οὐ γὰρ ἐκεῖνό ἐστιν εἰπεῖν, Aristides ii 364 οὐ γὰρ ἐκεῖνό γ' ἔστιν εἰπεῖν, ib. 575 καὶ μὴν οὐδ' ἐκεῖνό γ' ἔστ' εἰπεῖν (Bl). [l] ἀφείλετο, codicum omnium lectio, in S lineolis atramenti antiqui litterae cuiusque trans partem inferiorem ductis notata, e superioribus irrepsisse videtur; delevit Reiske (D V W). 'Certum vitium certa emendatione Reiske sustulit expuncto ἀφείλετο, quod ex praecedenti loco adhaesit. In aliis libris est νομίζων pro ἐνόμιζεν. Nempe sic vetus corrector impeditam verborum scripturam conatus est expedire non admodum feliciter. Est operae pretium hanc manifestam interpolationem diligenter animadvertere.' Cobet, *Miscellanea Critica*, p. 490. ἀφείλετο—νομίζων ἐνόμιζεν (Z B Bl). [m] ἐνόμιζεν S L A Y (D V W): νομίζων X. οὓς ἔχοντας ἀφείλετο —ἀναξίους νομίζων (Wr). [n] δοῦναι S L: +τὰ ἑαυτοῦ B 1824, cf. § 102.
[o] ὅτι διὰ τὸ syllabis brevibus quinque deinceps collocatis MSS: διὰ γὰρ τὸ Bl, Aristidem ii 657 secutus, διὰ γὰρ τὸ ῥᾳδίως ἐξαπατᾶσθαι τὸν δῆμον ταῦτ' εἰκότως προσγράψαι, collatis Dem. Or. 8 § 68, 21 § 203. [p] ὅτου S L[2] P: ὅτῳ

ἔνεστιν] 24 § 66 *οὐδ' ἐκεῖνό γ' ἔνεστιν αὐτῷ κ.τ.λ.*

§ 3. **ἀλλὰ νὴ Δία**] *at enim*, here (as often) introducing an objection supposed to be made by the opposite side. Or. 6 (*Phil.* ii) § 13 *ἀλλὰ νὴ Δί', εἴποι τις ἂν ὡς—*, ib. 14 *ἀλλ' ἐβιάσθη νὴ Δία*, 8 § 51 *ὅταν νὴ Δι' ἀνάγκη τις ᾖ*. **ἔθηκε**, the active, as usual, of the legislator; while the middle is used of the state, as in § 4 *θησόμεθα νόμον*; and *θέσθαι νόμον*.

τί οὖν κωλύει κ.τ.λ.] 'Well, according to *this* argument, what is there to prevent your being at once deprived of everything,—deprived, in a word, of your very constitution?'

ἐφ' ὅτου...τῶν πάντων] 'There is not a single occasion, out of all, on which you have not been thus treated', i.e. 'deceived', *τοῦτο* referring back to the sense of *ἐξαπατᾶσθαι*. *ἐφ' ὅτου*, cf. § 13.

πολλὰ πολλάκις] the adjective and adverb are here, as often, put closely together, e.g. in Eur. *Med.* 1165.

συμμάχους—ἑλέσθαι] For other references to the Athenian policy of helping the weak against the strong, see Thuc. vi 18 § 2 and 87 § 2 *ξύμμαχοι καὶ νῦν καὶ πρότερον τοῖς ἐνθάδε ὑμῶν ἀδικουμένοις*, Isocr. *Paneg.* 52—65, Dem. 15 § 22 *σῴζειν τοὺς ἀτυχοῦντας ἀεί*.

ἐν οἷμαι πολλοῖς] Or. 19 *F. L.* § 80, and 54 *Conon* § 38 *οἱ...οἷμαι βέλτιστοι*.

οἷς] Here, as often, the relative is 'attracted' or 'assimilated' to the case of the antecedent. In 54 § 11 *ὑπὸ τῶν πλησίον ἃς ἔλαβον*, the assimilation does not take place, probably because the speaker wishes to insist more distinctly on the statement in the relative clause.

"προβουλεύειν μήτε χειροτονεῖν μηδέν"; ἐγὼ μὲν οὐκ οἶμαι· οὐ γάρ ἐσμεν ἀφαιρεθῆναι δίκαιοι περὶ ὧν ἂν ἐξαπατηθῶμεν, ἀλλὰ διδαχθῆναι πῶς[q] *τοῦτο μὴ πεισόμεθα, καὶ θέσθαι νόμον οὐχ ὃς ἀφαιρήσεται τὸ κυρίους ἡμᾶς εἶναι, ἀλλὰ δι' οὗ τὸν ἐξαπατῶντα τιμωρησόμεθα.*

5 *Εἰ τοίνυν τις ἐάσας ταῦτ' αὐτὸ καθ' αὑτὸ ἐξετάσειε, πότερόν ποτε*[r] *λυσιτελέστερόν ἐστι, κυρίους μὲν ὑμᾶς εἶναι τῆς δωρειᾶς, ἐξαπατηθέντας δέ τι*[s] *καὶ φαύλῳ τινὶ δοῦναι, ἢ διὰ τοῦ*[t] *παντελῶς ἀκύρους γενέσθαι, μηδ' ἂν ἄξιόν τιν' εἰδῆτ'*[u] *ἐξεῖναι τιμῆσαι, εὕροιτ' ἂν μᾶλλον ἐκεῖνο λυσιτελοῦν. διὰ τί; ὅτι ἐκ μὲν τοῦ πλείονας ἢ*

vulg., Apsines p. 514 (Bl). [q] *πῶς* S: *ὅπως* L et vulg. (B 1824). [r] *ποτε*: *τι* Z, hanc lectionem in S exstare falso arbitrati. Codicum omnium lectionem *ποτε* expungendum esse censet Cobet, non esse enim huic voculae locum in bipartita interrogatione *πότερον—ἤ*. [s] *τι* S L soli: *ποτε* codd. ceteri, idem adscriptum in S L (Z B) et a Cobeto praelatum. [t] *διὰ τοῦ* S (Z B V W Wr Bl): *διὰ τὸ* tribus brevibus collocatis L (B 1824, D). [u] *ἴδητ'* Bl collato prooem. LV § 1 *ἴδοι*. [v] *προσήκει* S L: *προσῆκε*

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§ 4. **προβουλεύειν**] refers to the *βουλή*, or Council of 500, whose business was to prepare measures to be submitted to the *δῆμος* assembled as an *ἐκκλησία*. *χειροτονεῖν* on the other hand refers to the *ἐκκλησία*.

ἐγὼ μὲν οὐκ οἶμαι] 79; Or. 8 § 15; inf. 12 *ἐγὼ μὲν οὐκ ἀξιῶ*. In all such cases, although *δὲ* does not actually follow, a contrast is implied between the speaker's opinion and that of his opponents.

δίκαιοι] For the personal construction, as well as the general sense, cf. Or. 15 *Rhod.* § 16 *πολλὰ ... ἐξηπάτησθε, ὧν οὐδενὸς αὐτοὶ δοῦναι δίκην δίκαιοι ἂν εἶναι φήσαιτε*. It has been observed that the meaning of *δίκαιος* is not exactly the same in the two clauses: in the former it is, 'we deserve as a punishment'; in the latter, 'we claim as a right'. Both meanings may be combined by some such rendering as: 'justice demands, *not* that we should be deprived of any rights about which we may be deceived, but that we should be instructed how to escape this misfortune in the future &c.'

νόμον κ.τ.λ.] Dem. is here foreshadowing the general tenour of the law which he is about to propose in place of that of Leptines (§§ 88—101).

§ 5. **τοίνυν**] No less than eight successive paragraphs in this speech are introduced by this connecting particle (here and §§ 7, 8, 11, 13, 15, 18, 24), and the same particle recurs in nineteen other passages, §§ 41, 49, 51, 67, 71, 73, 74, 87, 88, 105, 112, 116, 118, 120, 125, 131, 134, 136, 155. So far from being confined to indicating an *inference*, it is most commonly used to denote a *transition*, especially a transition from the general case to a series of particular illustrations, or from a general statement to its application. There is probably no speech of Dem. in which this connecting particle is so persistently repeated. The speech, as observed by Blass, *Att. Ber.* iii 237, is more loosely constructed than his other speeches, and excepting in the middle portions, the successive arguments merely follow one another and are uniformly introduced by the very same connecting particle.

ἐξετάσειε] A favourite word with Dem., e.g. inf. 18, 52, 58, and Or. 2 § 20 *ἀκριβῶς ἐξετασθήσεται*, and 27 *πικρῶς ἐξετάσαι*, 6 § 7 *ἐξετάζειν* (*τοὺς λογισμούς*) and 37 *ὡς δ' ἂν ἐξετασθείη ἀκριβῶς*, 8 § 21 *μετὰ παρρησίας ἐξετάσαι τὰ παρόντα πράγματα*, 14 § 7 *ἐξητασμένη καὶ παρεσκευασμένη*, 23 § 213 *πλείω τῶν ἀναγκαίων ἐξετάζεσθαι*, 9 § 2 *ἅπερ ἐξετάζητε ὀρθῶς*, 18 § 11 *ἐξετάσω*, § 173 *λέγων καὶ γράφων ἐξηταζόμην τὰ δέοντ'*, § 318 *πρὸς τοὺς ζῶντας ... τὸν ζῶντα ἐξέταζε*, § 197; 19 §§ 115, 120, 219; 21 §§ 65, 161, 202; 22 §§ 12, 30, 47, 51, 66; 24 §§ 6, 160, 173; 37 § 46; 45 § 76; 57 §§ 27, 28 (partly from **Rehdantz**, *indices*, s. v. *ἐκ*).

πότερόν ποτε] *utrum tandem*.

ἐξαπατηθέντας ... τι] 23 § 117 *ἐξαπατώντων τι τῶν Λακεδαιμονίων*.

προσῆκε[v] τιμᾶν, πολλοὺς εὖ ποιεῖν προκαλεῖσθ' ὑμᾶς, ἐκ δὲ τοῦ μηδενὶ μηδέν[w], μηδ' ἂν ἄξιος ᾖ, διδόναι, πάντας ἀπείρξετε τοῦ φιλοτιμεῖσθαι. πρὸς δὲ τούτῳ καὶ[x] δι' ἐκεῖνο, ὅτι οἱ μὲν ἀνάξιόν 6
τινα τιμήσαντες εὐηθείας τινὰ δόξαν ἔχοιεν ἄν, οἱ δὲ τοὺς ἀγαθόν
459 τι ποιοῦντας ἑαυτοὺς μὴ τοῖς ὁμοίοις ἀμειβόμενοι κακίας. ὅσῳ δὴ κρεῖττον εὐήθη δοκεῖν ἢ πονηρὸν εἶναι, τοσούτῳ λῦσαι τὸν νόμον κάλλιον ἢ θέσθαι.

Οὐ τοίνυν ἔμοιγ' οὐδ' ἐκεῖν' εὔλογον, ὦ ἄνδρες Ἀθηναῖοι, σκοπου- 7
μένῳ φαίνεται, καταμεμφόμενον τοὺς ἐπὶ[y] ταῖς ὑπαρχούσαις

t v, corr. F, corr. A (B 1824, Bl). [w] *μηδὲν* A P; 'recte est receptum, cum et causa cur potuerit excidere plana sit et haec requiri verba doceant §§ 103 et 105' Klotzius, *Quaest. Crit.* p. 52: om. S L (w). *μηδένα* Cobet, seclusis et *μηδενὶ* et *διδόναι*. [x] *καὶ* in S omissum manu prima (Z B Bl): additum manu antiqua (D v w Wr). [y] *τοὺς ἐπὶ* S Y O L[1], Bekkeri *Anecdota* p. 151 (v Bl): *τινας ἐπὶ* quattuor brevibus collocatis vulg., supra scriptum in L; in margine manu antiqua additum in S *γρ κατ. τινάς*. 'Videtur fuisse καταμεμφόμενον ολιγους τινάς. ον et ολι facillime confunduntur et saepe ν pro λι scribitur et contra' Cobet: cuius coniectura idcirco condemnatur quod inde contra morem Demosthenicum breves syllabae quinque una collocantur.

προκαλεῖσθ'] here future, as the context refers to the effect which the law of Leptines will produce in the future (Weil). This is confirmed by *ἀπείρξετε* in the parallel clause.

§ 6. **δι' ἐκεῖνο**] sc. *εὕροιτ' ἂν μᾶλλον ἐκεῖνο λυσιτελοῦν*.

εὐηθείας τινὰ δόξαν ἔχοιεν ἄν] *fortasse simplices esse putantur* (Voemel). The contrast of *εὐηθείας* and *κακίας* in the present sentence, and of *εὐήθη* and *πονηρὸν* in the next, shews that *εὐήθεια* is here used in a good sense, = *simplicitas* (G. H. Schaefer, Weil, and Westermann-Rosenberg), and not *stultitia* (Wolf). For the two senses, cf. Plato, *Rep.* 400 E *εὐλογία ἄρα καὶ εὐαρμοστία καὶ εὐσχημοσύνη καὶ εὐρυθμία εὐηθείᾳ ἀκολουθεῖ, οὐχ ἣν ἄνοιαν οὖσαν ὑποκοριζόμενοι καλοῦμεν ὡς εὐήθειαν, ἀλλὰ τὴν ὡς ἀληθῶς εὖ τε καὶ καλῶς τὸ ἦθος κατεσκευασμένην διάνοιαν*. For *εὐήθης* as a euphemism for *ἄφρων*, cf. Plato, *Alc.* 2, 140 C *οἱ ἐν εὐφημοτάτοις ὀνόμασι βουλόμενοι κατονομάζειν τοὺς ἀφρονας καλοῦσιν εὐήθεις*. In Dem. *Ol.* 2 § 6 *εὐήθεια* is a polite equivalent for *ἄνοια* (ib. § 7); in 19 *F. L.* § 107 it is used in a less depreciatory sense, *διὰ τὴν ὑμετέραν εὐήθειαν καὶ πραότητα εὐθύνας δίδωσι, καὶ ταύτας ὀπηνίκα βούλεται*. Cf. Thuc. iii 83 *τὸ εἰωθὸς οὗ τὸ γενναῖον πλεῖστον μετέχει καταγελασθὲν ἡφανίσθη*. One of the best Latin parallels is Martial xii 51 'tam saepe nostrum decipi Fabullinum, | miraris, Aule? semper homo bonus tiro est'.

εὐήθη δοκεῖν ἢ πονηρὸν εἶναι] At first sight *δοκεῖν* appears to be contrasted with *εἶναι*, as certainly as *εὐήθη* is contrasted with *πονηρόν*; but, on further consideration, it seems more probable that *δοκεῖν* is common to both *εὐήθη* and *πονηρόν*, just as *δόξαν* in the previous sentence is common to *εὐηθείας* and *κακίας*. The words accordingly stand for *εὐήθη ἢ πονηρὸν δοκεῖν εἶναι*, but the natural order of those words is artificially altered, partly to secure a formal symmetry of structure before and after *ἤ*, and partly to avoid hiatus after *εὐήθη*. Similarly in § 25, *πιστοῖς εἶναι καὶ βεβαίοις δοκεῖν διαμεῖναι*, there is no antithesis between *εἶναι* and *δοκεῖν*; the words are really equivalent to *πιστοῖς καὶ βεβαίοις εἶναι δοκεῖν διαμεῖναι*; and the artificial order is due to a desire to avoid closing the sentence with three successive infinitives.

Voemel's translation is *simplicem quam improbum videri praestat*, and the same view is supported by Westermann and Weil. The latter observes: 'il faut réciter ce passage de manière à faire sentir qu'il n'y a pas antithèse entre *δοκεῖν* et *εἶναι*'. Lastly it is remarked by Blass: '*εἶναι* post *πονηρὸν* collocatum maxime ambiguam sententiam reddit; cf. Liban. iv 652, 8: *ὅσῳ δὴ μετριώτερον δυστυχῆ μᾶλλον εἶναι δοκεῖν ἢ φαῦλον*. Omitti *εἶναι* non potest, cum ceteroquin semper ad *δοκεῖν* addatur'.

δωρειαῖς, [z]τοὺς χρησίμους ὄντας τῶν τιμῶν ἀποστερεῖν. εἰ γὰρ ὑπαρχουσῶν τούτων φαῦλοι καὶ ἀνάξιοί τινες κατὰ τὸν τούτων[a] λόγον εἰσί, τί χρὴ προσδοκᾶν ἔσεσθαι τότε, ὅταν παντελῶς πλέον[b] μέλλῃ μηδὲν εἶναι τοῖς χρηστοῖς οὖσιν;

8 [y]Ἔτι τοίνυν ὑμᾶς κἀκεῖν' ἐνθυμεῖσθαι δεῖ, ὅτι ἐκ τῶν νῦν ὑπαρχόντων νόμων καὶ πάλαι κυρίων, οὓς οὐδ' ἂν[c] αὐτὸς οὗτος ἀντείποι μὴ οὐχὶ καλῶς ἔχειν, ἐνιαυτὸν διαλιπὼν ἕκαστος λῃτουργεῖ, ὥστε τὸν ἥμισύν ἐστ' ἀτελὴς τοῦ χρόνου. εἶθ' ἧς πᾶσι μέτεστι τὸ ἥμισυ καὶ τοῖς μηδ' ὁτιοῦν ἀγαθὸν πεποιηκόσιν ὑμᾶς, ταύτης τοὺς εὖ

[z] Cum argumentum oratoris totum ad futurum pertineret, aut *καὶ τὸ λοιπὸν* inserere aut postea *τῶν τιμῶν τῶν μελλουσῶν* scribere voluit w, quod ad sensum attinet recte, sed vix probabile est verba ista revera excidisse.

[a] *τούτων* S L et codices fere omnes: *τούτου* F (BD). [b] *μηδὲ πλέον* S L soli (Z D V W Wr): *πλέον* (B Bl). *μηδὲν πλέον εἶναι μέλλῃ τοῖς χρ.* Minucianus p. 610. *μηδὲν πλέον μέλλῃ εἶναι* Cobet, *μηδὲ...μηδὲν* e dittographia orta esse arbitratus (*μηδὲ* in textu, *μηδὲν* a correctore in margine); quae collocatio eatenus tantum displicet quod hiatum sine causa admittit. [c] *οὐδ' ἂν...ἀντείποι* A (Bl); quem verborum ordinem hiatus evitandi causa praetulit quidem Benselerus, *de hiatu* p. 104, sed in textum suum non recepit, etiam alterum ordinem ferendum esse arbitratus. *οὐ δ'...ἀντείποι ἄν* edd. fere omnes; sed 'vocula *ἄν* non est suo loco posita. Requirit constans compositionis consuetudo ut scribatur: *οὐδ' ἂΝ* κτλ. et sic legitur in nescio

§ 7. **τούτων**] Leptines and his friends. Dindorf, who accepts *τούτου*, objects to *τούτων* because several plural words have already occurred in the same sentence, none of them referring to Leptines and his associates. Voemel quotes *F. L.* §§ 36, 37, 150, 154, and adds: 'Orator enim digito, facie, toto corpore converso ad adversarios satis aperte dicebat'. Cf. 36 § 12.

For the general structure of the whole sentence, cf. 21 § 9 *ὅπου γὰρ ἐπόντος τοῦ φόβου τούτου φαίνονταί τινες οὐδὲν ἧττον ὑβρισταί, τί χρὴ τοὺς τοιούτους προσδοκᾶν ἂν ποιεῖν, εἰ μηδεὶς ἐπῆν ἀγὼν μηδὲ κίνδυνος;*

§ 8. **οὗς—καλῶς ἔχειν**] 88 *οὓς οὐδεὶς ἂν ἀντείποι μὴ οὐ δεῖν ἔχειν*, 24 § 24 *οὐδεὶς πώποτ' ἀντεῖπε μὴ οὐ καλῶς ἔχειν αὐτούς* (sc. *τοὺς νόμους*). Kühner, *Gr. Gr.* ii 763 f; Goodwin's *Moods and Tenses*, § 95, 2 *c* and note 1 *b* (=§ 807 ed. 1889).

ἐνιαυτὸν διαλιπών] 'every other year', lit. 'having left an interval of a year'; Isocr. *Phil.* § 8 *χρόνον ὀλίγον διαλιποῦσα.*

τὸν ἥμισυν—τοῦ χρόνου] 4 § 16 *τοῖς ἡμίσεσι τῶν ἱππέων*, 36 § 9 *τῆς προσόδου τὴν ἡμίσειαν*, and similarly with *πολύς* and *πλεῖστος* preceding a partitive genitive and assimilated to the latter in gender and number. (For more exx. see Rehdantz, *indices*, s. v. adiectivum 2, and Kühner ii 239.)

ἧς] sc. *ἀτελείας*, understood from the preceding adjective *ἀτελής*. Similarly in § 129 *τῶν λῃτουργιῶν...οὐδ' ἔχουσιν* (sc. *ἀτέλειαν*, understood from *εἰσὶν ἀτελεῖς*).

'In the case, then, of that exemption, the half of which is shared by all, even by those who have conferred no benefit whatsoever upon you, are we to take away from those who have been our actual benefactors that additional share of this exemption which we have ourselves conferred upon them?' The complimentary *ἀτέλεια* is here represented as an extension of the regular exemption which every one enjoyed in alternate years.

καὶ τοῖς μηδ' ὁτιοῦν ἀγαθὸν πεποιηκόσιν ὑμᾶς] We have here a hexameter line; but the orator's delivery of the whole sentence was most likely such as to make it extremely improbable that the metrical character of this particular clause caught the attention of his audience. Other instances of hexameter lines are collected by Rehdantz, *indices*, i, s. v. Verse (4 § 6; 8 §§ 40, 47; 18 § 143 *τὸν γὰρ ἐν Ἀμφίσσῃ πόλεμον, δι' ὃν εἰς Ἑλάτειαν*, ib. 198; 19 §§ 75, 76; 23 §§ 14, 50, 134, 144); but, with the possible exception of the single line quoted in full, hardly one of them really obtrudes itself even on an attentive ear. See § 60 and cf. Cicero's *Orator*, 189.

ποιήσαντας, ὃ[d] προστεθείκαμεν αὐτοῖς, τοῦτ'[e] ἀφελώμεθα; μηδαμῶς· οὔτε γὰρ ἄλλως καλὸν οὔθ' ὑμῖν πρέπον. πῶς γὰρ οὐκ αἰσχρόν, 9
ὦ ἄνδρες Ἀθηναῖοι, κατὰ μὲν τὴν ἀγορὰν ἀψευδεῖν νόμον γεγράφθαι, ἐφ' οἷς οὐδέν ἐστι δημοσίᾳ βλάβος εἴ τις ψεύδεται[f], ἐν δὲ τῷ κοινῷ μὴ χρῆσθαι τῷ νόμῳ τούτῳ τὴν πόλιν τὴν αὐτὴν ἐπιτάξασαν τοῖς ἰδιώταις[g], ἀλλὰ τοὺς ἀγαθόν τι πεποιηκότας ἐξαπατῆσαι, καὶ ταῦτ' οὐ μικρὰν ζημίαν ὀφλήσειν μέλλουσαν;

quo codice Parisiensi de veteris correctoris coniectura' Cobet. [d] ὃ prima manu S (B Bl): ἃ eadem manu mutatum. [e] τοῦτ' vulg (B Bl): ταῦτα S L soli. [f] ψεύδεται S L soli: ψεύσεται vulg. (B 1824). [g] τὴν αὐτὴν—ἰδιώταις 'spuria sunt. Volebat dicere homo quisquis est: ἡ πόλις ἥτις αὐτὴ (τοῦτο) τοῖς ἰδιώταις ἐπέταξεν, sed quis non intelligit eo sensu dici non posse τὴν αὐτὴν ἐπιτάξασαν? Praeterea illa verba plane sunt supervacanea et otiosa. Eadem enim sententia inest in verbis νόμον γεγράφθαι', Cobet. αὐτὴν τὴν Hertlein, *Hermes*, xiii 13. Sed textum satis defendunt loci infra allati.

ἄλλως] 'in general', contrasted with ὑμῖν.

§ 9. **πῶς γὰρ οὐκ αἰσχρόν**] a favourite formula of Dem.

In the sentence dependent on αἰσχρόν (ἐστι), the clause introduced by μέν is made co-ordinate with that introduced by δέ, whereas in English it is more convenient to treat the former as subordinate to the latter: 'how can it fail to be disgraceful, that, *while* in the market-place..., yet in public affairs &c....' The disgrace does not attach to the law of fair dealing in the market-place, but to the inconsistency between this law of trade and the public practice of Athens.

This co-ordinate construction is extremely common after αἰσχρόν (ἐστι), e.g. Isocr. *ad Dem.* 1 §§ 11, 19, *Paneg.* § 181. Cf. Dem. 19 *F. L.* §§ 132, 267 (καὶ γὰρ ἂν καὶ ὑπερφυὲς εἴη); 23 *Aristocr.* §§ 140, 143 (πῶς οὖν οὐκ αἰσχρὸν καὶ δεινὸν ἂν ἦτε πεποιηκότες), 211; 24 *Timocr.* § 31 (πῶς οὐ σχέτλιον); 34 § 43 (δεινὸν γὰρ ἂν εἴη). Cf. inf. §§ 12, 156 (πῶς οὐ δεινὸν), and 86 (οὐδὲ γὰρ ὑμῖν ἁρμόττει). (Many more exx. are quoted by Gebauer, *de hypotacticis et paratacticis argumenti ex contrario formis quae reperiuntur apud oratores Atticos*, 1877, pp. 88 ff., esp. p. 92.)

τὴν ἀγορὰν] Elsewhere regarded as the place of public life; but here the centre of private business and traffic, in contrast with τὸ κοινόν (Westermann). In the time of Dem. the *agora* probably extended over a large part of the inner Cerameicus, the district N. W. of the Acropolis (note on 54 § 7; cf. E. Curtius, *Attische Studien* ii, and *Erläuternder Text der sieben Karten zur Topographie von Athen*, p. 26 and plate opposite p. 55; also Weizsäcker in *Jahrb. f. Philol.* 1887, pp. 577—612, esp. p. 580).

ἀψευδεῖν] The inf. after νόμος γέγραπται is used on the analogy of such phrases as οἱ νόμοι κελεύουσιν ἀψευδεῖν, and expresses the purport of the law (§ 55 ad fin., 96 ad fin., 100, 102, 135). The law in question required honourable dealing in matters of buying and selling. Harpocration, ΚΑΤΑ ΤΗΝ ΑΓΟΡΑΝ ΑΨΕΥΔΕΙΝ: 'Ὑπερείδης ἐν τῷ κατ' Ἀθηνογένους α', 'ὁ μὲν τοίνυν νόμος κελεύει ἀψευδεῖν ἐν τῇ ἀγορᾷ.' ἔοικεν ὁ νόμος περὶ τῶν ὠνίων κεῖσθαι· Θεόφραστος γοῦν ἐν τοῖς περὶ νόμων φησὶ δυοῖν τούτων ἐπιμελεῖσθαι τοὺς ἀγορανόμους, τῆς τε ἐν τῇ ἀγορᾷ εὐκοσμίας καὶ τοῦ ἀψευδεῖν μὴ μόνον τοὺς πιπράσκοντας, ἀλλὰ καὶ τοὺς ὠνουμένους.

τὴν αὐτὴν ἐπιτάξασαν] αὐτὴν should be joined closely to the participle as in *F. L.* 114 τὸν αὐτὸν ὁμολογοῦντα, 204 τοὺς αὐτοὺς ἑωρακότας, 221 τοὺς αὐτοὺς ἠδικηκότας, *Timocr.* 43 τοὺς αὐτοὺς τῶν νόμων ἀναγεγραμμένους ὕστερον ἢ ἐτέθησαν κυρίους εἶναι, 44 § 24 τῷ αὐτῷ εἰσποιητῷ ὄντι, 55 § 35 τοῖς αὐτοῖς ὑμῶν ὁμωμοκόσιν (Dobree on *F. L.* 114). Thus the Latin rendering should not be 'civitatem *eandem*, *quae* privatis id imperarit' (Voemel), but 'civitatem *quae ipsa* privatis id imperarit'.

καὶ ταῦτ'] with participle, as in 8 § 55 καὶ ταῦτ' ἐφ' ὑμᾶς ἁρπάζων, 56 § 40 καὶ ταῦτ' ἀξιούντων ἡμῶν, and 44 καὶ ταῦτ' οὐχ ἧττον ἡμῶν συνηδικημένους. For other uses, see 1 § 7; 9 §§ 13, 27; 15 § 15; and Kühner, *Gr. Gr.* ii 644.

10 οὐ γὰρ εἰ μὴ χρήματ' ἀπόλλυτε, μόνον σκεπτέον, ἀλλ' εἰ καὶ[h] δόξαν χρηστήν, περὶ ἧς μᾶλλον σπουδάζετ' ἢ περὶ χρημάτων, καὶ οὐ μόνον ὑμεῖς, ἀλλὰ καὶ οἱ πρόγονοι. τεκμήριον δέ· χρήματα 46
μὲν γὰρ πλεῖστά ποτε κτησάμενοι, πάνθ' ὑπὲρ[i] φιλοτιμίας ἀνήλωσαν, ὑπὲρ δὲ δόξης οὐδένα πώποτε κίνδυνον ἐξέστησαν, ἀλλὰ καὶ τὰς ἰδίας οὐσίας προσαναλίσκοντες διετέλουν. νῦν τοίνυν οὗτος[j] ὁ νόμος ταύτην ἀντὶ καλῆς αἰσχρὰν τῇ πόλει περιάπτει. καὶ οὔτε τῶν προγόνων οὔθ' ὑμῶν ἀξίαν. τρία γὰρ τὰ μέγιστ' ὀνείδη κτᾶται, φθονεροὺς ἀπίστους ἀχαρίστους εἶναι δοκεῖν[k].

11 Ὅτι τοίνυν οὐδ' ἐστὶν ὅλως, ὦ ἄνδρες Ἀθηναῖοι, τοῦ ἤθους τοῦ ὑμετέρου κύριον ποιῆσαι τοιοῦτον νόμον, καὶ τοῦτο πειράσομαι

[h] ἀλλὰ καὶ εἰ scripsit Bl, collato § 41, οὐ...μόνον ἀλλὰ καὶ εἰ. [i] ὑπὸ φιλοτιμίας Bl, laudato Aristide, ii 684, πάντα δὲ ταῦθ' ὑπὸ φιλοτιμίας προέσθαι, quo fit ut contra compositionis Demosthenicae legem a Blassio ipso indicatam syllabae breves quattuor concurrunt. [j] οὗτος propter tres breves una collocatas delere vult Bl, collato § 13 τὸν νόμον...τοῦ νόμου ubi τούτου in multis additur. [k] §§ 8—10 post § 17 transferre voluit Nitsche, *de traiciendis partibus in Dem. orationibus*, p. 92.

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§ 10. **οὐ γὰρ εἰ μὴ—χρηστήν**] 'For you must not consider merely whether you avoid losing money, but whether you actually lose a good name'. The thought is suggested by ζημίαν ὀφλήσειν being metaphorically applied in the previous sentence to other than merely pecuniary loss. 'It is true', the speaker implies, 'that the law of Leptines does not involve you in pecuniary loss, on the contrary it professes to be of pecuniary advantage to you; but it robs you of your honour, and that is a far more important matter for your consideration'. This interpretation (which agrees in the main with those of Wolf, Schaefer, Westermann, Benseler and Weil) recognises the fact that μὴ is expressed in the first clause only, and assumes that it is not understood in the second. Schaefer less satisfactorily treats εἰ μὴ χρήματ' ἀπόλλυτε as = εἰ χρήματα σῴζετε.

περὶ ἧς μᾶλλον—διετέλουν] The same thought is thus expanded in a speech written in the previous year, *Androt.* § 76 καὶ οὐδ' ἐκεῖν' εἶδεν, ὅτι περὶ μὲν χρημάτων κτῆσιν οὐδεπώποτε ὁ δῆμος ἐσπούδασε, πρὸς δὲ δόξης ὡς οὐδὲ πρὸς ἓν τῶν ἄλλων. τεκμήριον δέ· χρήματα μὲν γὰρ πλεῖστα τῶν Ἑλλήνων ποτὲ σχών, ἅπανθ' ὑπὲρ φιλοτιμίας ἀνήλωσεν, εἰσφέρων δ' ἐκ τῶν ἰδίων οὐδένα <πώποτε> κίνδυνον ὑπὲρ δόξης ἐξέστη, and similarly in the parallel passage in *Timocr.* 184.

τεκμήριον δέ] generally without a demonstrative pronoun. Similarly with μαρτύριον δέ, σημεῖον δέ, δῆλον δέ, κεφάλαιον δέ, αἴτιον δέ, μέγιστον δέ and the like (Kühner, ii 565). In all these cases the next sentence is usually introduced by γάρ (ib. 853).

ποτε] in the time of Pericles. It is characteristic of orators in dealing with historical facts to refer to them in a manner that is intentionally vague.

κίνδυνον ἐξέστησαν] *De Cor.* 319 οὐδέν' ἐξίσταμαι, Soph. *Aj.* 82 φρονοῦντα γάρ νιν οὐκ ἂν ἐξέστην ὄκνῳ (Kühner, p. 253).

ταύτην] refers back to δόξης. **ἀντὶ καλῆς αἰσχράν.** Thuc. i 86 ἀντ' ἀγαθῶν κακοὶ γεγένηνται, Soph. *O. T.* 455 πτωχὸς ἀντὶ πλουσίου.

περιάπτει] 'fastens'. Lysias 21 § 24 σωθεὶς αἰσχρῶς ὀνείδη καὶ ἐμαυτῷ καὶ ἐκείνοις περιάψω. [Dem.] 61 § 1 αἰσχύνην μᾶλλον ἢ τιμὴν περιάπτοντα τούτοις.

τρία—εἶναι δοκεῖν] Soph. *El.* 1088 δύο φέρειν ἐν ἑνὶ λόγῳ, σοφά τ' ἄριστα τε παῖς κεκλῆσθαι (Weil). **κτᾶται**, 'acquires' for the state, 'brings upon it'. For this use of κτᾶσθαι, cf. Soph. *Ant.* 924 τὴν δυσσέβειαν εὐσεβοῦσ' ἐκτησάμην.

§ 11. **τοῦ ἤθους τοῦ ὑμετέρου**] For the gen. cf. 1 § 1 τῆς ὑμετέρας τύχης ὑπολαμβάνω, and 10 τῆς ἡμετέρας ἀμελείας. Here of a characteristic attribute, in which sense the gen. is more frequently applied to persons, as in 4 § 47 κακούργου μὲν γάρ ἐστι κριθέντ' ἀποθανεῖν, στρατηγοῦ δὲ μαχόμενον τοῖς πολεμίοις.

κύριον ποιῆσαι] this shews that the law had not yet been finally ratified.

δεῖξαι διὰ βραχέων, ἔν τι τῶν πρότερον πεπραγμένων τῇ πόλει διεξελθών. λέγονται χρήμαθ' οἱ τριάκοντα δανείσασθαι παρὰ Λακεδαιμονίων ἐπὶ τοὺς ἐν Πειραιεῖ[1]. ἐπειδὴ δ' ἡ πόλις εἰς ἓν ἦλθε[m] καὶ τὰ πράγματ' ἐκεῖνα κατέστη, πρέσβεις πέμψαντες οἱ

[1] ἐμ Πειραιεῖ Bl, S et Aristidis p. 351 codicem Parisinum 1741 secutus; quod cum lapidum inscriptorum consuetudine congruit (Meisterhans, *Gram. Att. Insc.* § 41 A, etc.). Sed in § 36 habet S ἐν πειραιεῖ. [m] ἦλθεν S (v wr).

πεπραγμένων τῇ πόλει] One of the common constructions with the passive, remarkably frequent in Dem., esp. (but not exclusively) with the perfect passive, 5 § 18 τῶν ἐκείνοις πεπραγμένων, *de Cor.* 265 τὰ σοὶ κάμοὶ βεβιωμένα, *F. L.* 199 ταῦτα συνειδὼς αὐτῷ πεπραγμένα... καὶ τὸν βεβιωμένον αὐτῷ βίον, *Androt.* 22 §§ 23, 78, *Timocr.* 24 § 187.

λέγονται] It is characteristic of Dem. to attribute his knowledge of the history of Athens to general report, or hearsay; and to dissemble his study of literary sources of information. Similarly *φασί* in § 12.

A public speaker who in any obtrusive manner laid claim to being a man of literary research would have been listened to with impatience by an Athenian audience. Cf. *Meid.* 143 λέγεται τοίνυν ποτὲ ἐν τῇ πόλει ... Ἀλκιβιάδης γενέσθαι, *Phil.* i § 24 πρότερόν ποτ' ἀκούω ξενικὸν τρέφειν ἐν Κορίνθῳ τὴν πόλιν, οὗ Πολύστρατος ἡγεῖτο καὶ Ἰφικράτης καὶ Χαβρίας καὶ ἄλλοι τινές, καὶ αὐτοὺς ὑμᾶς συστρατεύεσθαι· καὶ οἶδα ἀκούων ὅτι Λακεδαιμονίους παραταττόμενοι μεθ' ὑμῶν ἐνίκων οὗτοι οἱ ξένοι καὶ ὑμεῖς μετ' ἐκείνων. *Ol.* iii 21 τοὺς ἐπὶ τῶν προγόνων ἡμῶν λέγοντας ἀκούω, ὥσπερ ἴσως καὶ ὑμεῖς,... τούτῳ τῷ ἔθει καὶ τῷ τρόπῳ τῆς πολιτείας χρῆσθαι, τὸν Ἀριστείδην ἐκεῖνον, τὸν Νικίαν, τὸν ὁμώνυμον ἐμαυτῷ, τὸν Περικλέα. *Phil.* iii 48 ἀκούω Λακεδαιμονίους τότε κ.τ.λ. *Androt.* 52 (of the time of the Thirty) ὡς ἔστιν ἀκούειν, *Aristocr.* 116 f (of Philocrates, son of Ephialtes) *φασί*, *Timocr.* 154 ἀκούω δ' ἔγωγε καὶ τὸ πρότερον οὕτω καταλυθῆναι τὴν δημοκρατίαν. Similarly in a forensic speech, where the orator's client is represented as disclaiming a minute acquaintance with the details of law, *Conon* § 18 *φασὶ*...γίγνεσθαι and ἀκούω...εἶναι.

As to the facts referred to, Xenophon, *Hell.* ii 4 § 28, and Plutarch, *Lysander* 21, simply state that the oligarchical party borrowed 100 talents from the Spartans; Lysias, again, alludes to the embarrassment of Athens while in debt to the Spartans, (*Nicom.*) 30 § 22 ὁρῶν (τὴν πόλιν) ἀποροῦσαν χρημάτων καὶ Λακεδαιμονίους μὲν ἀπειλοῦντας, ὅταν μὴ ἀποπέμψωμεν αὐτοῖς τὰ χρήματα. But the sequel is recorded only in the present passage, and (about the same time) in Isocr. *Areop.* §§ 67, 68. The latter speech is assigned by Blass, *Att. Ber.* ii 279, to the end of 355 or the beginning of 354; and by Jebb, *Att. Or.* ii 206, to the latter half of 355: ὃ δὲ πάντων κάλλιστον καὶ μέγιστον τεκμήριον τῆς ἐπιεικείας τοῦ δήμου· δανεισαμένων γὰρ τῶν ἐν ἄστει μεινάντων ἑκατὸν τάλαντα παρὰ Λακεδαιμονίων εἰς τὴν πολιορκίαν τῶν τὸν Πειραιᾶ κατασχόντων, ἐκκλησίας γενομένης περὶ ἀντιδόσεως τῶν χρημάτων καὶ λεγόντων πολλῶν ὡς δίκαιόν ἐστι διαλύειν τὰ πρὸς Λακεδαιμονίους μὴ τοὺς πολιορκουμένους ἀλλὰ τοὺς δανεισαμένους, ἔδοξε τῷ δήμῳ κοινὴν ποιήσασθαι τὴν ἀπόδοσιν. As a study of style it is instructive to compare these two nearly, if not quite, contemporaneous allusions to the same incident. Thus while Dem. is content with the brief and completely intelligible phrase, *ἐπὶ τοὺς ἐν Πειραιεῖ*, Isocr. characteristically adopts the ampler periphrasis, *εἰς τὴν πολιορκίαν τῶν τὸν Πειραιᾶ κατασχόντων*. Both alike treat the historical fact in a rhetorical manner; both find it convenient to keep out of sight the pressure which (as observed by Weil) was doubtless put upon Athens by the Lacedaemonians and by their king, Pausanias.

τοὺς ἐν Πειραιεῖ] 149, the constant appellation of the constitutional party, banished from Athens by the Thirty and established in the Peiraeus; in contrast with the oligarchical party who secured possession of the city itself, *τοὺς ἐξ ἄστεως*, *infra*; *Timocr.* 134 τῶν ἐκ Πειραιῶς καὶ ἀπὸ Φυλῆς οὗτος ἦν (with Wayte's n), Lysias 12 §§ 53—59.

εἰς ἓν ἦλθε] ἀντὶ τοῦ ὡμονόησεν, Harpocration. Cf. Thuc. iii 10 καθ' ἓν γενόμενοι.

κατέστη] 'when the state was restored to unity and those troubles were *settled*', *rebus illis compositis* (Voemel). Lysias, *Agorat.* 13 § 25 (of the times of the Thirty) ἕως τὰ πράγματα καταστήσαιμεν,

12 *Λακεδαιμόνιοι τὰ χρήματα ταῦτ' ἀπήτουν. λόγων δὲ γιγνομένων καὶ τῶν μὲν τοὺς δανεισαμένους ἀποδοῦναι κελευόντων, τοὺς ἐξ ἄστεως", τῶν δὲ τοῦτο πρῶτον ὑπάρξαι τῆς ὁμονοίας σημεῖον ἀξιούντων, κοινῇ διαλῦσαι τὰ χρήματα, φασὶ τὸν δῆμον ἐλέσθαι συνεισενεγκεῖν αὐτὸν καὶ μετασχεῖν τῆς δαπάνης, ὥστε μὴ λῦσαι τῶν ὡμολογημένων μηδέν. πῶς οὖν οὐ δεινόν, ὦ ἄνδρες Ἀθηναῖοι, εἰ τότε μὲν τοῖς ἠδικηκόσιν ὑμᾶς ὑπὲρ τοῦ μὴ ψεύσασθαι [τὰ]° χρήματ' εἰσφέρειν ἠθελήσατε, νῦν δ' ἐξὸν ὑμῖν ἄνευ δαπάνης τὰ δίκαια ποιῆσαι τοῖς εὐεργέταις, λύσασι τὸν νόμον, ψεύδεσθαι μᾶλλον αἱρήσεσθε; ἐγὼ μὲν οὐκ ἀξιῶ.*

13 *Τὸ μὲν τοίνυν τῆς πόλεως ἦθος, ὦ ἄνδρες Ἀθηναῖοι, καὶ ἐπ'*

" *τοὺς ἐξ ἄστεως* a F. A. Wolfio suspecta, a Cobeto exclusa. ° *τὰ* 'non magis recte exstat quam *ταῦτα*, quod post *χρήματα* multi codices inferunt. Nam *τὰ χρ.* totam summam denotat, quam populus *συνεισφέρει τοῖς ἐξ ἄστεως*, non *εἰσφέρει*' Blass.

Aeschin. 3 § 208 *ὦ Δημόσθενες, εἰ σοὶ ἦσαν ὅμοιοι οἱ ἀπὸ Φυλῆς φεύγοντα τὸν δῆμον καταγαγόντες, οὐκ ἂν ποθ' ἡ δημοκρατία κατέστη*, Isocr. *Panegyr.* 138 *ὅταν τὰ τῶν βαρβάρων καταστῇ*, [Lysias] *κατ' Ἀνδοκίδου* 6 § 36 *ἐτάραξε μὲν οὗτος τὴν πόλιν, κατεστήσατε δ' ὑμεῖς.* Cf. Ar. *Eq.* 1089 *ὅταν μὲν ἡ λίμνη καταστῇ, λαμβάνουσιν οὐδέν, | ἐὰν δ' ἄνω τε καὶ κάτω τὸν βόρβορον κυκῶσιν, | αἱροῦσι· καὶ σὺ λαμβάνεις, ἢν τὴν πόλιν ταράττῃς.*

ἀπήτουν] the regular word for demanding payment of a debt, just as *ἀποδοῦναι* in the next sentence is the regular word for paying a debt (see note on 53 *Nicostr.* § 10).

§ 12. **λόγων γιγνομένων**] 'on a debate ensuing', in the *ἐκκλησία*.

κελευόντων] not 'commanding', but 'urging'.

τοὺς ἐξ ἄστεως] It is pointed out by Weil that this phrase, which has been suspected by some critics, is more precise than *οἱ τριάκοντα*, the loan having been really contracted by Pheidon and the Ten, who remained masters of the *ἄστυ* when the more violent members of the Thirty left for Eleusis, Isocr. l.c. and Lysias, *Eratosth.* § 58 f.

τῆς ὁμονοίας] The article pointedly refers to the harmony which had already been restored by the solemn oath *ἣ μὲν μὴ μνησικακήσειν* (Xen. *Hell.* ii 4 § 43). The terms of the oath are preserved by Andocides, *de mysteriis* § 90 *καὶ οὐ μνησικακήσω τῶν πολιτῶν οὐδενί πλὴν τῶν τριάκοντα καὶ τῶν ἕνδεκα* — *καὶ τῶν δέκα* added by Reiter and Sauppe — *οὐδὲ τούτων ὃς ἂν ἐκβὰς εἰθύνας διδόναι τῆς ἀρχῆς ἧς ἔλαχεν.*

συνεισενεγκεῖν] 'The Athenian people, whether from honesty, as Demosthenes asserts, or through fear caused by threats of the Spartans, discharged this debt by means of a general property tax [*εἰσφορά*]. In this loan there was, doubtless, neither interest nor security required', p. 761 of Lamb's transl. of Boeckh's *Public Economy* IV 18.

τῶν ὡμολογημένων] not the terms agreed upon with the lenders of the money, but the terms of amnesty between the two political parties in Athens.

πῶς οὖν οὐ δεινὸν...εἰ κ.τ.λ.] See note on § 9 *πῶς γὰρ οὐκ αἰσχρόν* (c. inf.). Gebauer, l.c., p. 85, quotes Plutarch, *Ti. Gracch.* 15 § 3, and gives many similar exx. from the Orators.

τοῖς ἠδικηκόσιν ὑμᾶς] contrasted with *τοῖς εὐεργέταις*, and *χρήματ' εἰσφέρειν* with *ἄνευ δαπάνης*. The whole sentence is an excellent example of condensed and forcible antithesis.

ἠθελήσατε] you, the *ἄνδρες δικασταί*, members of the sovereign *δῆμος*, as represented by your predecessors fifty years ago. *De Cor.* 249 *δ' ὑμᾶς καὶ τοὺς ἄλλους Ἀθηναίους ἐσῳζόμην.* Cf. § 2.

λύσασι] constructed with *ὑμῖν*, in spite of the interposition of *εὐεργέταις*.

ἐγὼ μὲν οὐκ ἀξιῶ] 'I, for my part, cannot approve it, cannot think it right', *indignum censeo* (G. H. Schaefer), *non recte fieri censeo* (Voemel). The contrasted clause containing *δέ* is unexpressed as in § 4 *ἐγὼ μὲν οὐκ εἶναι*.

§ 13. **ἐπ' ἄλλων πολλῶν**] 'in many other instances', Cf. 2 § 1 *ἐπὶ πολλῶν... ἴδοιτε*, Isocr. 5 § 140 *οἱ μόνοι ἐπὶ πάντων αὐτοὶ δόξαι τὴν γνώμην πάντων ἐλευθερίαν*

461 ἄλλων πολλῶν καὶ ἐφ' ὧν εἶπον ἴδοι τις ἂν τοιοῦτον[p], ἀψευδὲς καὶ χρηστόν, οὐ τὸ λυσιτελέστατον[q] πρὸς ἀργύριον σκοποῦν, ἀλλὰ τί καὶ καλὸν πρᾶξαι. τὸ δὲ τοῦ θέντος τὸν νόμον, τὰ μὲν ἄλλ' ἔγωγ' οὐκ οἶδα, οὐδὲ λέγω φλαῦρον οὐδὲν οὐδὲ σύνοιδα, ἐκ δὲ τοῦ νόμου σκοπῶν εὑρίσκω πολὺ τούτου κεχωρισμένον. φημὶ τοίνυν 14 ἐγὼ κάλλιον εἶναι τοῦτον ὑμῖν ἀκολουθῆσαι περὶ τοῦ λῦσαι τὸν νόμον, ἢ ὑμᾶς τούτῳ περὶ τοῦ θέσθαι, καὶ λυσιτελέστερον εἶναι καὶ ὑμῖν καὶ τούτῳ, τὴν πόλιν πεπεικέναι Λεπτίνην ὅμοιον αὐτῇ γενέσθαι δοκεῖν, ἢ αὐτὴν ὑπὸ τούτου πεπεῖσθαι ὁμοίαν εἶναι τούτῳ· οὐδὲ γὰρ εἰ πάνυ χρηστός ἐσθ', ὡς ἐμοῦ γ' ἕνεκ'[r] ἔστω, βελτίων ἐστὶ τῆς πόλεως τὸ ἦθος.

Νομίζω τοίνυν ὑμᾶς, ὦ ἄνδρες δικασταί, ἄμεινον ἂν περὶ τοῦ 15 παρόντος βουλεύσασθαι, εἰ κἀκεῖνο μάθοιτε, ὅτι ᾧ μόνῳ μείζους εἰσὶν αἱ παρὰ τῶν δήμων δωρειαὶ τῶν παρὰ τῶν ἄλλων πολιτειῶν [διδομένων][s], καὶ τοῦτ' ἀφαιρεῖται[t] νῦν τῷ νόμῳ. τῇ μὲν γὰρ χρείᾳ

μ. πιθ

[p] τοιοῦτον ὄν Cobet. τοιοῦτ' ὂν W collato § 147. [q] οὐ τί τὸ λυσ. Dobree, 'quod numeris quoque (οὐ τί ‖ ἀλλὰ τί) commendatur' Blass. [r] εἵνεκ' (WI). [s] διδομένων 'interpolatum et spurium....Dicebant αἱ παρὰ τῶν δήμων δωρεαὶ, sine participio, quod si addi fuisset solitum dixisset : αἱ παρὰ τῶν δήμων δωρεαὶ διδόμενΑΙ τῶν παρὰ τῶν ἄλλων πολιτειῶν μείζους εἰσίν. Sed nihil est hac compositione frequentius'. Cobet. [t] ἀφαιρεῖτε L, ν rec.

ἀλλ' ἐπὶ πάντων ὁμοίως, Lycurg. 64 ὅταν ταύτην ἐφ' ἑνός τις παρίδῃ, λέληθεν ἑαυτὸν ἐφ' ἁπάντων ταῦτα πεποιηκώς. § 3, ἐφ' ὅτου.

πρὸς ἀργύριον] 'by a pecuniary standard', Isocr. *Paneg.* 76 οὐδὲ πρὸς ἀργύριον τὴν εὐδαιμονίαν ἔκρινον.

τί καὶ καλὸν πρᾶξαι] καὶ 'really', as often with interrogatives, e.g. 4 § 46 τί καὶ χρὴ προσδοκᾶν; 19 § 138 τί καὶ ποιήσῃ;

τὸ τοῦ θέντος] sc. ἦθος. **τὰ μὲν ἄλλα**, not after οἶδα, but used adverbially as in Thuc. iv 55 § 2 καὶ τὰ ἄλλα ἐν φυλακῇ πολλῇ ἦσαν.

φλαῦρον] 'disparaging', § 102, *Meid.* 208 περὶ ὧν οὐδὲν ἂν εἴποιμι πρὸς ὑμᾶς φλαῦρον ἐγώ. Cf. Wayte on *Androt.* 12, and Shilleto on *F. L.* § 270=306.

σύνοιδα] *Ol.* 3 § 3 πέπεισμαι γὰρ ἐξ ὧν παρὼν καὶ ἀκούων σύνοιδα. 'οἶδε qui *audivit*, σύνοιδε qui *vidit* aut *interfuit*' (Reiske). 'Observes velim quam timide et leniter Demosthenes adversarium tractet' (Wolf).

τούτου] sc. τοῦ τῆς πόλεως ἤθους.

§ 14. **θέσθαι**] § 4.

γενέσθαι δοκεῖν] implying that Leptines cannot *really* resemble the state in excellence of character; all that he can do is to assume a virtue when he has it not. The insinuation is all the more pointed owing to the studiously courteous tone of the context, which is thus noticed by the scholiast : ὑφιεμένῳ ἔοικεν, οὐ μὴν ἀπήλλακται τοῦ πικρὸς εἶναι.

ὡς ἐμοῦ γ' ἕνεκ' ἔστω] 'as he is welcome to be, so far as I am concerned'; 'as he may be, for aught I know to the contrary'. *Ol.* 3 § 14 εἵνεκα γε ψηφισμάτων, 24 *Timocr.* 65 εἵνεκ' ἀναιδείας, Herod. iii 12 § 2, vii 187 § 2, Thuc. i 143 § 5, Xen. *Mem.* iv 3 § 3, *Cyr.* iii 2 § 30, and Isocr. 15 § 165 ἀσφαλῶς ἂν ἔζων ἕνεκά γε συκοφαντῶν (Rehdantz, s. v. ἕνεκα).

τὸ ἦθος] 'in character'. The general sense of §§ 13, 14 may be illustrated by *Androt.* 64 τὸν ὑπὲρ πόλεως πράττοντά τι δεῖ τὸ τῆς πόλεως ἦθος μιμεῖσθαι.

§ 15. **ᾧ μόνῳ**] 'honestatem dicit et stabilitatem' (Wolf).

τῶν δήμων] 'democratical states'.

ἀφαιρεῖται] middle; the subject is Leptines, who is represented as not merely robbing individuals of their privileges, but even depriving the state of the right of conferring that special form of reward in which democratical constitutions are superior to all others.

τῇ...χρείᾳ] 'In respect of the advantage of those who win the bounties, it is despots &c. who are able to confer the highest rewards'. '*si respexeris emolumen-*

τῇ τῶν εὑρισκομένων τὰς δωρειὰς οἱ τύραννοι καὶ οἱ τὰς ὀλιγαρχίας ἔχοντες μάλιστα δύνανται τιμᾶν[uv]· πλούσιον γὰρ ὃν ἂν βούλωνται παραχρῆμ' ἐποίησαν· τῇ δὲ τιμῇ καὶ τῇ βεβαιότητι[w] τὰς παρὰ τῶν
16 δήμων δωρειὰς εὑρήσετ' οὔσας βελτίους. τό τε γὰρ μὴ μετ' αἰσχύνης ὡς κολακεύοντα λαμβάνειν, ἀλλ' ἐν ἰσηγορίᾳ δοκοῦντ' ἄξιόν τινος εἶναι τιμᾶσθαι τῶν καλῶν ἐστι, τό θ' ὑπὸ τῶν ὁμοίων ἑκόντων θαυμάζεσθαι τοῦ παρὰ τοῦ δεσπότου λαμβάνειν ὁτιοῦν κρεῖττον εἶναι δοκεῖ. παρὰ μὲν γὰρ ἐκείνοις μείζων ἐστὶν ὁ τοῦ

ἀφερεῖτε S 'sed prima habuisse videtur ἀνερειτε, nam φ est correctum (a prima manu?) ex alia litera, et αι extrema syllaba a manu recentiore correcta est ex ε' Voemel. ἀφαιρεῖται (Z V W Wr Bl): ἀναιρεῖται (B D); § 155, τὰς τιμὰς ἀναιρῶν; sed contra § 17, τοῦτ' ἀφαιρεῖται. Utrumque in *F. L.* § 186, ὁ δὴ τοὺς χρόνους ἀναιρῶν τῆς οἷα παρ' ἡμῖν ἐστι πολιτείας οὐ χρόνους ἀνῄρηκεν οὗτος, οὔ, ἀλλὰ τὰ πράγματ' ἁπλῶς ἀφῄρηται.

[u] τῇ μὲν γὰρ χρείᾳ [τῇ τῶν εὑρισκομένων τὰς δωρεὰς] οἱ τύραννοι—μάλιστα δύνανται [τιμᾶν]· Bake, *scholica hypomnemata*, iii 120.

[v] fort. νικῶν, *superiores esse*, coll. βελτίους εἶναι, Markland. δύνανται ὑπαντᾶν coniecit Heimsoeth, ut dativus χρείᾳ verbum sibi aptum haberet. Si hiatum vitare voluisset, debuit potius scribere: μάλισθ' ὑπαντᾶν δύνανται. δύνανταί τι (vel τι δρᾶν) scribendum esse suspicatur Weil.

[w] καὶ τῇ βεβαιότητι om. S[1] Y O P Q ('vocabulum βεβαιότης non est Demostheni-cum' v); habent S et P in margine. Ad § 16 <καὶ τῇ βεβαιότητι> κρεῖττον εἶναι δοκεῖ haec verba transferenda censuit Hoffmann, *Jahrb. f. Phil.*, 1874 p. 705; καὶ τῇ γενναιότητι L[1], manu recentiore supra scripto βεβαι. 'Est hoc indicio aliquid turbatum esse: sed τῇ βεβαιότητι abesse non potest, potius τῇ τιμῇ καὶ superfluum neque cum totius sententiae tenore (ᾧ μόνῳ μείζους 15, ᾧ μόνῳ κρείττους 17) conveniens. Adde quod cum τιμᾶν, quod in opposita sententiae parte est, τιμῇ male congruit. Rursus prior sententia paragraphi 16 explicatio est huius τῇ τιμῇ. Itaque locus postmodo ab oratore amplificatus est, sed non ita ut concinnus fieret; nam etiam παρὰ μὲν γὰρ ἐκείνοις 16 non cum eis quae nunc praecedunt, sed cum § 15 extr. arcte coit. Minoribus litteris additamenta (τιμῇ καὶ τῇ et τό τε γὰρ—εἶναι δοκεῖ) exprimenda

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tum eorum qui donantur; τῇ χρείᾳ, hoc est ὠφελείᾳ, λυσιτελείᾳ, κέρδει' (Wolf); *pro necessitatibus accipientis* (Voemel); *durch materiellen, äusseren Vortheil* (Westermann); *par le besoin, l'avantage matériel* (Weil). [Dem.] *Prooem.* 56 p. 1462 ἐκ δὲ τοῦ θορυβεῖν οὐκ ἀπαλλάττεσθε λόγων, ἀλλὰ καὶ περὶ τῶν οὐδὲν εἰς χρείαν ἐπαναγκάζεσθε ἀκούειν. χρείᾳ is the *dativus relationis et commodi*, 'respectu commodorum', Voemel, who for the use of this kind of dative after τιμᾶν, quotes Aristoph. *Aves* 33 ἡμεῖς δὲ φυλῇ καὶ γένει τιμώμενοι. He also proves that χρεία can be used not only with the genitive of the thing *ex qua utilitas percipitur*, but also with the genitive of the persons *qui utilitatem percipiant*, by quoting Plato, *Legg.* viii 849 A ἡ δ' ἐπιμέλεια...μή τις ἀδικῇ τι τῆς τῶν ἀνθρώπων χρείας, *ne quis in quapiam re iniuste faciat quae ad hominum necessitates pertineat.*

τιμᾶν is here used in the general sense of conferring honour (as in Plutarch, *Artax.* 4 περὶ τὸ τιμᾶν καὶ χαρίζεσθαι τὸ κατ' ἀξίαν ὑπερβάλλων), whereas in the next sentence τῇ τιμῇ, as contrasted with τῇ χρείᾳ, is used in the special sense: 'in true honour', 'in real distinction'. There is a certain awkwardness in these two slightly different uses of the same word occurring in two contrasted sentences; and various attempts have been made by critics to remove it by altering the text.

πλούσιον γὰρ] Thus, Croesus allowed Alcmaeon to take at once out of his treasury as much gold as he could carry, Herod. vi 125; and Darius gave Syloson the island of Samos in return for a cloak that Syloson gave him, ib. iii 139 (Beatson).

§ 16. τό τε γὰρ—εἶναι δοκεῖ] 'For if, instead of receiving the disgraceful reward of adulation, a man is honoured for his merit in the midst of liberty of speech; this is counted a noble distinction: and to gain the willing admiration of one's equals is deemed better than receiving any gift, however great, at the hands of the despot'. ἐν ἰσηγορίᾳ, under a constitution where all have equal rights of speech, 15 § 18 οὐ γὰρ ἔσθ' ὅπως ὀλίγοι πολλοῖς καὶ ζητοῦντες ἄρχειν τοῖς μετ' ἰση-

μέλλοντος φόβος τῆς παρούσης χάριτος, παρὰ δ' ὑμῖν ἀδεῶς ἂν[x]
462 *λάβῃ τις ἔχειν ὑπῆρχε τὸν γοῦν ἄλλον χρόνον. ὁ τοίνυν τὴν* 17
πίστιν ἀφαιρῶν τῶν δωρειῶν νόμος, οὗτος[y]*, ᾧ μόνῳ κρείττους εἰσὶν*
αἱ παρ' ὑμῶν δωρειαί, τοῦτ' ἀφαιρεῖται. καίτοι τῶν ἁπασῶν ἧς
ἄν τινος[z] *πολιτείας τὸ κομίζεσθαι τοὺς εὔνους τοῖς καθεστῶσιν*
χάριν [a]*ἐξέλῃς*[b]*, οὐ μικρὰν φυλακὴν αὐτῶν ταύτην ἀφῃρηκὼς ἔσει.*

Τάχα τοίνυν ἴσως ἐκεῖνο λέγειν ἂν[c] *ἐπιχειρήσειε Λεπτίνης,* 18
ἀπάγων ὑμᾶς ἀπὸ τούτων, ὡς αἱ λῃτουργίαι νῦν μὲν εἰς πένητας
ἀνθρώπους ἔρχονται, ἐκ δὲ τοῦ νόμου τούτου λῃτουργήσουσιν οἱ
πλουσιώτατοι. ἔστι δὲ τοῦθ' οὑτωσὶ μὲν ἀκοῦσαι λόγον τιν' ἔχον·

curavi. Similis amplificatio exstat or. LX 21.' Blass. [x] *ἃ ἄν* L (Z B D); *ἃ ἄνα* ultimo *α* linea et puncto notato S. [y] 'Quod de auctore legis Demosthenes dixerat, id nescio quis ad ipsam legem referendum esse opinatus est. Itaque *νόμος οὗτος* addidit, quod se in textum insinuavit, sed eo loco qui fraudis indicium facit. non potest enim *ὁ—νόμος οὗτος* sic disjungi et dissecari' Cobet. Inter *νόμος* et *οὗτος* commatis signum recte posuit G. H. Schaefer (V). [z] *ἠσάντινος* S Y O. *ἠσάντινος* L, recentiore manu supra scripto *ἠστινοσοῦν* quod vulgo legebatur. *ἠστινος ἄν* Ak. *ἠσάντινος* (B): *ἧς ἄν τινος* (ceteri). [a] + *ἄν* MSS (Z V); delevit D. [b] *ἐξέλῃς* S L Y O A etc.: *ἀφέλῃς* vulgo (B 1824), syllabis brevibus plusquam tribus una collocatis. [c] *'ἐκεῖν' ἂν λέγειν* coniecit Bl, ut trium syllabarum brevium

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γορίας ζῆν ῥηρημένοις εὖνοι γένοιντ' ἄν. **τῶν καλῶν**, § 2 *τῶν ἀδίκων.*

ἐκείνοις] *τοῖς τυράννοις καὶ τοῖς τὰς ὀλιγαρχίας ἔχουσι.*

τὸν γοῦν ἄλλον χρόνον] 'at any rate, in all previous time', before public confidence was shaken by the law of Leptines. *τὸν ἄλλον χρόνον* is used of the *past* in *Phil.* 3 §§ 11, 22; *Eubul.* §§ 47, 49, and Isocr. *Paneg.* 70; less often of the *future* as in Dem. 22 § 3, Lysias 14 § 4, and Lycurgus, 79 (partly from Westermann).

§ 17. **ἀφαιρῶν...ἀφαιρεῖται**] *ἀφαιρεῖν* coexists with *ἀφαιρεῖσθαι*, the latter being far more usual, see Dem. *Lept. passim*, frequently however with a shade of difference, cf. *πράσσειν* and *πράσσεσθαι χρήματα* (Shilleto on Thuc. i 107 § 6). *F. L.* p. 399 § 186 *ὁ δὴ τοὺς χρόνους τούτους ἀναιρῶν τῆς οἷα παρ' ἡμῖν ἐστι πολιτείας, οὐ χρόνους ἀνῄρηκεν οὗτος, οὔ, ἀλλὰ τὰ πράγμαθ' ἁπλῶς ἀφῄρηται.* Cf. Donaldson's *Gk. Gr.* p. 443.

καίτοι—ἔσει] 'And surely, if from any one of all the existing forms of government, you remove the principle that those who are well disposed to the constitution should receive reward, you will therein have taken away what is no unimportant safeguard of those forms of government'. **τοῖς καθεστῶσιν**, the established, constitutional, order of things. Isocr. *Areop.* 56 *τῶν τότε καθεστώτων*, [Dem.] 1420, 5 *ἐναντία τῇ καθεστώσῃ πολιτείᾳ δημηγορῶν.* **αὐτῶν**, not *τῶν καθεστώτων* but *τῶν πολιτειῶν* implied in *τῶν ἁπασῶν κ.τ.λ.* **ταύτην**, assimilated in gender to *φυλακήν*, instead of *τοῦτο* (= *τὸ κομίζεσθαι κ.τ.λ.*), Kühner, ii 66.

§ 18. **ἀπάγων**] 'withdrawing, diverting, your attention from these points', *F. L.* 242 *ἂν ὑμᾶς ἀπαγάγῃ τῷ λόγῳ... τοὺς δικαστὰς ἀπαγαγὼν ἀπὸ τῆς ὑποθέσεως*, Aeschin. 1 § 175 *ἀπαγαγὼν γὰρ αὐτοὺς ἀπὸ τῶν περὶ Τίμαρχον αἰτιῶν.* It is well observed by Weil that it is Demosthenes who has been diverting the attention of the court from the strongest argument on the part of Leptines, which he now proceeds to discuss and which he has purposely deferred to the present point. The scholiast remarks: *ταύτην δὲ (τὴν ἀντίθεσιν) μόνην χαλεπὴν καὶ ἀνταγωνιζομένην ἔχει· διόπερ οὐκ ἐθάρρησεν αὐτὴν πρωταγωνιστοῦσαν θεῖναι.*

λῃτουργίαι] 'the public (or official) burdens'. See *Introd.* p. iii, where it is also shewn that this is the form found in inscriptions of the time of Dem.

οὑτωσὶ μὲν ἀκοῦσαι] 'plausible enough, *merely to listen to*', 19 § 47 *ἀκοῦσαι μὲν γὰρ οὑτωσὶ παγκάλως ἔχει.* **λόγον τιν' ἔχον**, *Leoch.* 44 § 32 *ὡς ἔχει λόγον.* **ἔστι ...ἔχον**, for *ἔχει*. When the predicate is thus resolved into *ἔστι* with the corre-

εἰ δέ τις αὖτ' ἀκριβῶς ἐξετάσειε ψεῦδος ἂν[d] *φανείη. εἰσὶ γὰρ δήπου παρ' ἡμῖν αἵ τε τῶν μετοίκων λητουργίαι καὶ αἱ πολιτικαί, ὧν ἑκατέρων ἐστὶν τοῖς εὑρημένοις ἡ ἀτέλεια, ἣν οὗτος ἀφαιρεῖται. τῶν γὰρ εἰς τὸν πόλεμον καὶ τὴν σωτηρίαν τῆς πόλεως εἰσφορῶν καὶ τριηραρχιῶν*[e]*, ὀρθῶς καὶ δικαίως οὐδεὶς ἐστ' ἀτελὴς ἐκ τῶν παλαιῶν νόμων, οὐδ' οὓς οὗτος ἔγραψε, τοὺς ἀφ' Ἁρμοδίου καὶ*
19 *Ἀριστογείτονος*[f]*. σκεψώμεθα δὴ τίνας ἡμῖν εἰσποιεῖ χορηγοὺς*

concursus vitaretur. [d] *ἂν* S I. F: *ἂν ὃν* vulg. (B 1824, D). [e] *εἰσφορῶν καὶ τριηραρχιῶν* recl. Cobet. [f] *καὶ Ἀριστογείτονος* om. S^1 A P^1 Q^1 (v Bl). ‘Nulli

spondling participle, the verb gains a somewhat stronger emphasis, inf. 25 and 96, *ἐστὶν ... ὑπάρχον*, 2 § 26 *οὔτ' ἔχον ἐστὶ φύσιν τοιοῦτό γε*, 31 § 11 *οὐδὲ λόγον τὸ πρᾶγμα ἔχον ἐστί*, 18 § 135; 21 § 119; 23 § 73; 29 § 29 (Kelchantz, *Indices* s. v. participium).

ἐξετάσειε] § 5.

αἵ τε τῶν μετοίκων λητουργίαι καὶ αἱ πολιτικαί] ‘Beside the citizens the aliens under the protection of the state (*μέτοικοι*) and the isoteleis (*μέτοικοι ἰσοτελεῖς*) performed liturgiæ, which, at least those of the former class, were different from those performed by citizens. Both these classes also paid property taxes’, p. 689 of Lamb’s transl. of Boeckh, *P. E.* IV x. It may be inferred from the context of the present passage that the *μέτοικοι* performed the ordinary *λητουργίαι*, namely the *χορηγία*, the *γυμνασιαρχία* and the *ἑστίασις* (cf. Thumser, *Wiener Studien* 1888 p. 87 ff., quoted by Fränkel in note 840 to the third ed. of Boeckh).

ἣν ἑκατέρων ἀτέλεια] We here learn that ‘exemption from the liturgiæ, particularly from the choregia, was sometimes granted to aliens under the protection of the state, as well as to citizens’ Boeckh *l. c.* Cf. § 63 *δεινὸν εἴ τινες μόνοι τῶν ἄλλων μετοίκων μὴ χορηγοῦεν*. Pollux III 86 mentions *ἀτελεῖς μέτοικοι*.

οὐδεὶς ἐστ' ἀτελὴς] As an exception to this we find a case occurring during the youth of Demosthenes, ‘in which exemption even from the payment of the property tax was granted to some citizens of Sidon, who were resident at Athens from time to time for purposes of trade, as aliens under the protection of the state’, CIA ii 86 (Boeckh *l. c.*). See *Introd.* p. xv.

ἔγραψε] sc. *ἀτελεῖς εἶναι*.

τοὺς] attracted into the case of the immediately preceding relative *οὕς*, instead of being put in the nom. to agree with the antecedent of that relative. 21 § 177 *τοῦτο γὰρ ἴσθ' ὃ φυλάττειν ὑμᾶς δεῖ, τοὺς νόμους, τὸν ὅρκον*, and 25 § 81 *τί οὖν λοιπόν; ἃ κοινὰ πᾶσιν ὑπάρχει καὶ ὑμῶν ἕκαστος ἔχων οἴκοθεν ἔρχεται, ἔλεον, συγγνώμην, φιλανθρωπίαν* (Westermann). Plato *Rep.* 402 C *οὐδὲ μουσικοὶ πρότερον ἐσόμεθα, οὔτε αὐτοὶ οὔτε οὓς φαμεν ἡμῖν παιδευτέον εἶναι, τοὺς φύλακας* (Kühner, ii 924–5).

Ἁρμοδίου καὶ Ἀριστογείτονος] It was in the thirteenth year of the reign of Hippias, that his younger brother Hipparchus, who was associated with him in the government, was put to death by Harmodius and Aristogeiton. Hippias reigned more than three years longer and was expelled from Athens by the Alcmaeonidae with the aid of the Spartans (Thuc. vi 54—59). Herod. vi 123 *τὰς Ἀθήνας οὗτοι ἦσαν οἱ ἐλευθερώσαντες πολλῷ μᾶλλον ἢπερ Ἁρμόδιός τε καὶ Ἀριστογείτων, ὡς ἐγὼ κρίνω*. Nevertheless the Athenians regarded the two tyrannicides as their deliverers from the despotism of the Peisistratidae, set up statues to them in the market-place (§ 70), and granted their descendants immunity from the public burdens. About a century afterwards their exploit was celebrated in the famous scolium of Callistratus preserved by Athenaeus, xv 695. (Cf. Appendix v to C. R. Kennedy’s Dem. *Lept.* &c.) Cf. *F. L.* § 280 *τὸν ἀφ' Ἁρμοδίου καὶ Ἀριστογείτονος, τῶν τὰ μέγιστ' ἀγαθ' ὑμᾶς εἰργασμένων, οὓς νόμῳ διὰ τὰς εὐεργεσίας, ἃς ὑπῆρξαν εἰς ὑμᾶς, ἐν ἅπασι τοῖς ἱεροῖς ἐπὶ ταῖς θυσίαις σπονδῶν καὶ κρατήρων κοινωνοὺς πεποίησθε καὶ ᾄδετε καὶ τιμᾶτ' ἐξ ἴσου τοῖς ἥρωσι καὶ τοῖς θεοῖς*. So strong was the popular feeling in favour of the distinction conferred on their descendants that Leptines did not venture to propose depriving them of the immunity they enjoyed.

§ 19. **τίνας ἡμῖν εἰσποιεῖ**] ‘what additional stewards he introduces for us into the public services’ (by doing away with the exemption they now enjoy).

χορηγοὺς] ‘in hoc loco *χορηγὸς* cum

εἰς ἐκείνας τὰς λητουργίας, καὶ πόσους, ἂν μὴ τούτῳ προσέχωμεν, ἀφήσει. οἱ μὲν τοίνυν πλουσιώτατοι τριηραρχοῦντες ἀεὶ τῶν χορηγιῶν ἀτελεῖς ὑπάρχουσιν, οἱ δ' ἐλάττω τῶν ἱκανῶν κεκτη-

fuerunt Aristogitonis posteri, cum essent Harmodii, tamen in legum formulis (§§ 29, 127 sq., 158) merito illius quoque nomen honoris causa conservabatur' Blass, qui etiam in *F. L.* § 280 cum S^1 et textu LA 'Ἀριστογείτονος omisit. Cf. Voemelii Excursum ad *F. L.*, p. 711.

derivatis verbis latiore sensu complectitur simul *γυμνασιαρχίαν* et *ἑστίασιν*; unde deinde commutantur inter se *χορηγεῖν* et *λειτουργεῖν*, uti *χορηγία* et *λειτουργία*' (Wolf). The *χορηγία* being the most important of the ordinary *λειτουργίαι*, the specific terms *χορηγός*, *χορηγεῖν*, *χορηγία* are here used in a generic sense. The first of these takes the place of *λειτουργός* (or *λητουργός*) which is 'not found in any Attic writer', though it occurs in inscriptions found at Branchidae, CIG 2881, 13 *λειτουργὸς τῶν ἐν παισὶ λειτουργιῶν*, 2882, 2886 (L and S). It is also found in the second Argument of this speech, § 4. The specific sense of *χορηγός* occurs in § 21.

πόσους...ἀφήσει, 'how many he will be obliged to leave free, if we refuse to ratify his law'. Leptines is somewhat oddly described as 'setting free' those, whom he fails to deprive of their exemption. *ἀφήσει* is here equivalent to *ἐλευθέρους ἐάσει*.

τριηραρχοῦντες ἀεὶ κ.τ.λ.] 'by serving the trierarchy from time to time are already exempt from the ordinary public burdens'. *ἀεί* is taken with the participle by the scholiast and Wolf, approved by Benseler; with the verb by G. H. Schaefer and Westermann; and with both by Weil. It seems best to take it with the participle (1) because of its position immediately after it (the most natural position, immediately before it, being avoided owing to the *hiatus*); (2) because *ἀτελεῖς ὑπάρχουσιν* being equivalent to *ἀτελεῖς εἰσὶν ἤδη* requires no adverb. *ἀεί*, if taken with the participle, does not here mean 'always' (for it was only in alternate years that any one could be called upon to serve as trierarch); but 'from time to time', as in *τοὺς ἀεὶ λητουργοῦντας* (§ 20).

ἀτελεῖς ὑπάρχουσιν. This follows from the general Athenian principle that no person should be required to perform two 'liturgies' at the same time. *Polycl.* § 9 *τούτων ἐγὼ οὐδεμίαν πρόφασιν ποιησάμενος, οὔτε ὅτι τριηραρχῶ καὶ οὐκ ἂν δυναίμην δύο λητουργίας λητουργεῖν, οὐδὲ οἱ νόμοι ἐῶσιν, ἔθηκα τὰς προεισφορὰς πρῶτος. Meid.* § 155 (of trierarchs) *δοκεῖν λελητουργηκέναι καὶ τῶν ἄλλων λητουργιῶν ἀτελεῖς γεγενῆσθαι περίεστιν.* The exemption only extended over the time of the trierarchy and the next year. When the trierarchy was over, the trierarch might be called upon to perform public duties of another kind, and of this we have many examples which cannot in all cases be ascribed to voluntary service. As an instance of voluntary extra service on the part of a trierarch we have that of Hypereides in Ol. 110, 1 = B.C. 340, but in the passage where this is mentioned it is expressly stated that the other trierarchs were exempt (Boeckh's *P. E.*, III xxi ad fin.). Photius Cod. 266 (1) *τριήραρχός τε αἱρεθεὶς ὅτε Βυζάντιον ἐπολιόρκει Φίλιππος, βοηθὸς Βυζαντίων ἐκπεμφθεὶς κατὰ τὸν ἐνιαυτὸν τοῦτον* (*κατὰ τὸν αὐτὸν ἐνιαυτὸν* Boeckh) *ὑπέστη χορηγῆσαι, τῶν ἄλλων λειτουργίας πάσης ἀφειμένων...* (2) *Φιλίππου πλεῖν ἐπ' Εὐβοίας παρεσκευασμένου καὶ τῶν Ἀθηναίων εὐλαβῶς ἐχόντων τεσσαράκοντα τριήρεις ἤθροισεν ἐξ ἐπιδόσεως καὶ πρῶτος ὑπὲρ αὐτοῦ καὶ τοῦ παιδὸς ἐπέδωκε δύο τριήρεις* (Boeckh's *Seeurkunden* p. 189 f.).

In Isaeus 7 § 38 Thrasyllus, the father of Apollodorus, is described as having voluntarily served as trierarch for several years consecutively: *τάς τε ἄλλας ἁπάσας λητουργίας λελητούργηκε, καὶ τριηραρχῶν τὸν πάντα χρόνον διετέλεσεν,...οὐδὲ δύο ἔτη διαλιπὼν ἀλλὰ συνεχῶς.*

ἐλάττω τῶν ἱκανῶν] 'No one was under obligation to perform any of these services, unless he was possessed of property to the amount of three talents', p. 588 of Lamb's transl. of Boeckh's *P. E.* III xxi. This is inferred from Isaeus, *Pyrrh.* 3 § 80 *καὶ ἐν τῷ δήμῳ κεκτημένος τὸν τριτάλαντον οἶκον, εἰ ἦν γεγαμηκώς, ἠναγκάζετο ἂν ὑπὲρ τῆς γαμετῆς γυναικὸς καὶ θεσμοφόρια ἑστιᾶν τὰς γυναῖκας, καὶ τἄλλα ὅσα προσῆκε λητουργεῖν ἐν τῷ δήμῳ ὑπὲρ τῆς γυναικὸς ἀπό γε οὐσίας τηλικαύτης.* Cf. Isaeus *Hagn.* 11 § 41 *τὰ μὲν ὑπάρξαντα πατρῷα τοσαῦτα ἦν* (46 minae), *ὥστε εἶναι μὲν ἱκανά, λητουργεῖν δὲ μὴ ἄξια.* Dem. *Aph.* i 27 § 64 *οἶκοι ταλαντιαῖοι καὶ*

μένοι, τὴν ἀναγκαίαν ἀτέλειαν ἔχοντες, ἔξω τοῦ τέλους εἰσὶν τούτου· οὐκοῦν τούτων μὲν οὐδετέρων οὐδεὶς διὰ τὸν νόμον ἡμῖν
20 *προσέσται χορηγός. ἀλλὰ νὴ Δί' εἰς τὰς τῶν μετοίκων λητουργίας εἰσποιεῖ πολλούς. ἀλλ' ἐὰν δείξῃ πέντε, ἐγὼ ληρεῖν ὁμολογῶ. θήσω τοίνυν ἐγὼ μὴ τοιοῦτον εἶναι τοῦτο, ἀλλὰ καὶ τῶν μετοίκων* 463
πλείονας ἢ τοσούτους, ἂν ὁ νόμος τεθῇ, τοὺς[g] λητουργοῦντας ἔσεσθαι, καὶ τῶν πολιτῶν μηδένα ἐκ τριηραρχίας ὑπάρξειν ἀτελῆ.

[g] +ἀεὶ vulg. (B 1824): om. S L A. 'Defendebat ἀεὶ Westermannus Diar. Antiq. 1844 p. 579 sq. necessarium enim censet adverbium, quod scholium videatur non esse, ad definiendum tempus pro sententia oratoris ostensuri, quam parum lege Leptinea existat emolumentum, quum toto circulo, dum ad eosdem necessitas officii rediret, quinque tantum hominum numerus munere fungentium augeretur. Ad hunc circulum referenda esse § 22 *παρὰ πάντα τὸν χρόνον*, quod oppositum est § 21 *κατ' ἐνιαυτόν*: ad idem illud referenda esse ait etiam § 28 *ἅπαξ*. Accedere quod ἀεὶ neglectum sit fortasse propter sequentem syllabam λει-. Vere quidem haec pleraque doctissimus Westermannus, attamen mihi quidem videtur ἀεὶ deberi sive sequentibus literis sive interpretanti vel accuratius definienti alicui. Verum addito hoc adverbio sententia fit impedita, obscuratur, argumentatio debilitatur. Simpliciter enim agitur de numero liturgorum augendo. Non esset tam turpe, si Leptinea lege caveretur ne unquam deessent officiosi, quam si tantum paululum numerus eorum augeretur'

διτάλαντοι καταλειφθέντες ἐκ τοῦ μισθωθῆναι διπλάσιοι καὶ τριπλάσιοι γεγόνασιν, ὥστε ἀξιοῦσθαι λητουργεῖν.

τὴν ἀναγκαίαν ἀτέλειαν] 'their necessary, unavoidable, exemption'. Their exemption is a matter of necessity; the state is compelled to exempt them, whether it wishes or no.

ἔξω τοῦ τέλους] 'are out of the reach of this tax'. This sense of τέλος is found in *Timocr.* 24 § 40 *τῶν ὠνουμένων τὰ τέλη* and § 144 *τὸ αὐτὸ τέλος τελοῦντας... τέλος τι πριάμενος* (cf. Andoc. 1 § 93), Deinarchus 2 § 17 *τὰ τέλη τελεῖ*, and in Aeschines 1 § 119 f., 3 §§ 113, 119, Antiphon 5 § 77 *χορηγίας χορηγεῖ καὶ τέλη κατατίθησιν*. For ἔξω, 'out of the reach of', cf. *Phil.* i 34 *τοῦ πάσχειν αὐτοὺς καλῶς ἔξω γενήσεσθε*.

I prefer the above rendering of τέλος to that suggested by Wolf: 'in hunc censum referri non possunt: non pertinent ad eum hominum ordinem qui munera publica obire potest', followed by L. and S, 'a *class, order*, of citizens, Dem. 403, 20 etc.'. This meaning, though not necessary in the present passage, is found in Harpocration s. v. ἱππάς: 'Ἀμεστρατίδης δ' ἐν Ἀθηναίων πολιτείᾳ φησὶν ὅτι Σόλων εἰς τέτταρα διεῖλε τέλη τὸ πᾶν πλῆθος Ἀθηναίων, πεντακοσιομεδίμνους καὶ ἱππάδας καὶ ζευγίτας καὶ θήτας.

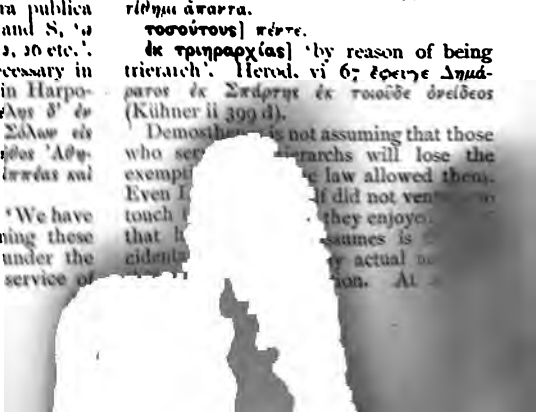
§ 20. **μετοίκων λητουργίας**] 'We have but little information concerning these public services of the aliens under the protection of the state. The service of the choregia, according to the testimony of the scholiast to Aristophanes (*Plut.* 953), was performed by them at the celebration of the festival of the Lenaea'... From the scholiast on § 18, it appears that 'it was customary for them to have feasts (ἑστιάσεις), similar to those of the tribes'...'Finally, under the present head are comprised the *σκαφηφορία* (Lex. Seg. 180, 1; 304, 27), the *ὑδριαφορία*, and the *σκιαδηφορία*, inferior and humiliating services required of the aliens under the protection of the state' [cf. Michaelis, *Parthenon*, p. 330], p. 690 of Lamb's transl. of Boeckh's *P. E.* IV x.

ληρεῖν] 5 § 10 *νομίζω δὲ τὸν λέγοντα ληρεῖν*, 9 § 20 *ἂν δὲ ληρεῖν καὶ τετυφῶσθαι δοκῶ*, 10 § 55 *οὐ δεῖ ληρεῖν*, 18 § 297 *εἰ δεῖ μὴ ληρεῖν*, p. 1421 ult. *εἰ πολλά τινος ληροῦντος ἀκούσαιτε*, Aeschin. 3 § 251 *οὐ ληρῶ*.

θήσω] 'assume'; *Aristot.* 44 *ἐγὼ δὲ τίθημι ἅπαντα*.

τοσούτους] *πέντε*.

ἐκ τριηραρχίας] 'by reason of being trierarch'. Herod. vi 67 *ἔφευγε Δημάρατος ἐκ Σπάρτης ἐκ τοιοῦδε ὀνείδεος* (Kühner ii 399 d).



σκεψώμεθα δὴ τί τοῦτο τῇ πόλει[h], *ἐὰν ἅπαντες οὗτοι λῃτουργῶσι· φανήσεται γὰρ οὐδὲ πολλοῦ δεῖ*[i] *τῆς γενησομένης ἄξιον αἰσχύνης. ὅρα*[k] *δ' οὑτωσί. εἰσὶ τῶν ξένων ἀτελεῖς, δέκα θήσω*[l] *καὶ μὰ τοὺς* 21 *θεούς, ὅπερ εἶπον ἀρτίως, οὐκ οἶμαι πέντ' εἶναι. καὶ μὴν τῶν γε πολιτῶν οὐκ εἰσὶ*[m] *<πλείους ἢ> πέντ' ἢ ἓξ*[n]. *οὐκοῦν*[o] *ἀμφοτέρων ἑκκαίδεκα. ποιήσωμεν αὐτοὺς εἴκοσιν, εἰ δὲ βούλεσθε, τριάκοντα. πόσοι δή ποτ' εἰσὶν οἱ κατ' ἐνιαυτὸν τὰς ἐγκυκλίους λῃτουργίας λῃτουργοῦντες, χορηγοὶ καὶ γυμνασίαρχοι καὶ ἑστιάτορες; ἐξήκοντ'*

Voemel. [h] *τί τοῦτο τῇ πόλει* S^1 : *τί τοῦτο τῇ πόλει ἔσται* L, quod vel propter hiatum vix probabile est; *τί τοῦτ' ἔσται τ. π.* (B 1824, D). [i] *, οὐδὲ πολλοῦ δεῖ*, D. [k] *ὅρα* S^1: *ὁρᾶτε* L et vulg. (B). [l] *—δεκα θήσω·* Wr. [m] *τάχ' εἰσὶ* Markland. [n] *οὐκ εἰσὶ—πέντ' ἢ ἓξ* Wr. *οὐκ εἰσὶ <πλείους ἢ> πέντ' ἢ ἓξ.* Weil. [o] *οὐκ οὖν*, 'itaque ex utrisque non sedecim' v.

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of peace, when there was no necessity for building triremes, there could be no trierarchs, and thus no one would at that time be exempt by virtue of a trierarchy. (This is the purport of Benseler's explanation which is accepted by Voemel and Weil.)

τί τοῦτο τῇ πόλει] sc. *ἔσται*. *Conon* 17 *ἀλλὰ τί ταῦτ' ἐμοί;*

οὐδὲ πολλοῦ δεῖ] The general rule with reference to this phrase is that *οὐδέ*, while closely pronounced with *πολλοῦ δεῖ*, emphatically repeats a preceding negation. See Shilleto on *F. L.* § 33 = 30, p. 350, *οὐ γὰρ..., οὐδὲ πολλοῦ δεῖ*. Cf. *Chers.* 42 *οὔκουν βούλεται..., οὐδὲ πολλοῦ δεῖ*, where G. H. Schaefer protests against the punctuation *οὐδέ, πολλοῦ δεῖ*, and observes: 'haec formula si subicitur enuntiationi neganti, solet ei *οὐδὲ* sic praeponi, non ut tollatur vis formulae affirmans, sed ut augeatur negans enuntiationis'. *Phil.* iii 23, *F. L.* §§ 90, 202, *Conon* 40. Demosthenes is the only classical writer who uses this formula; it is also found in [Dem.] *Aristog.* 25 §§ 85, 87, and *Phil.* iv, 10 § 28. The remarkable point about the present passage is that no negative precedes. We should have expected: *οὐ γὰρ φανήσεται, οὐδὲ πολλοῦ δεῖ, τῆς γενησομένης αἰσχύνης.* To treat *φανήσεται* as equivalent to *οὐ φανήσεται* by regarding it as either interrogative or ironical, is too artificial a device for bringing the exception under the rule. It seems better to regard the usual sense of *οὐδὲ πολλοῦ δεῖ* as 'petrified' into a strong negation, equivalent to *οὐδαμῶς*. *Verstärkt* is the phrase used by Kehdantz, *indices*, s. v. *δέω* ad fin., where this and similar formulae are discussed. Professor W. W. Goodwin, who on p. 224 of his *Gk. Gr.* explains *οὐδὲ πολλοῦ δεῖ* as = *παντὸς δεῖ*, suggests to me that 'this expression was felt as a strong negative adverb (without regard to the exact words composing it); and as such it qualifies *φανήσεται ἄξιον*, the meaning being *it will appear (not partially, but) altogether inadequate*'. See also Voemel's note.

§ 21. **ὅρα**] a vivid use of the singular imperative (as in § 55), as though the orator appealed to one particular person in his audience. *Phil.* i § 10 *εἰπέ μοι. φέρε* (§ 26).

ξένων] vaguely used instead of the more precise *μετοίκων*. **ἀρτίως**, § 20 init.

δέκα θήσω] Instead of saying downright, *δέκα*, the orator pauses for a moment in uncertainty and adds *δέκα θήσω*. Then, dropping his voice, he adds a short sentence by way of parenthesis. This is introduced by *καί* as in 8 § 32; 18 § 199 (Westermann).

πέντ' ἢ ἓξ] Those who (like Westermann) print the text thus: *οὐκ εἰσὶ—πέντ' ἢ ἓξ*, are obliged to understand *δέκα* (from *δέκα θήσω*):—'of citizens there are, not (ten, but) five or six'. Otherwise, if the negative is retained, *ἢ ἓξ* is awkward and unnecessary; for if there are not five citizens exempt, *a fortiori* there are not six. These small difficulties are removed by the suggestion of Weil, which I have adopted in the text.

ἐγκυκλίους] 'periodical', i.e. 'coming round in every year', as contrasted with those that return (like the *τριηραρχία*) at uncertain intervals.

χορηγοὶ καὶ γυμνασίαρχοι καὶ ἑστιάτορες] See *Introd.* § 2.

ἐξήκοντ'] 'This is hardly credible: since, even for a single feasting of the tribes, ten *ἑστιάτορες* were required, an emulation was always excited among many indivi-

22 ἴσως ἡ μικρῷ πλείους σύμπαντες οὗτοι. ἵν' οὖν τριάκοντ' ἄνθρωποι πλείους[p] παρὰ πάντα τὸν χρόνον λητουργήσωσιν ἡμῖν, τοὺς ἅπαντας ἀπίστως πρὸς ἡμᾶς αὐτοὺς διαθῶμεν; ἀλλ' ἴσμεν ἐκεῖνο δήπου, ὅτι λητουργήσουσιν μέν, ἅπερ ἡ πόλις ᾖ, πολλοί, καὶ οὐκ ἐπιλείψουσιν, εὖ δὲ ποιεῖν ἡμᾶς οὐδεὶς ἐθελήσει, τοὺς πρότερον ποιήσαντας ἐὰν ἠδικημένους ἴδῃ[q]. εἶεν. εἰ δὲ δὴ τὰ μάλιστ' ἐπέλειπον[r] οἱ χορηγεῖν οἷοί τε, πρὸς Διὸς πότερον κρεῖττον ἦν εἰς συντέλειαν

[p] πλείους A et Reiske (v w wr Bl) : ἢ πλείους S L et vulg.
[q] εἰδῇ L et S[1], manus recentior εἰ mutavit in ι (z v). ante Bekkerum.
[r] ἐπέλειπον S solus : ἐπέλιπον L et vulg.

duals for the supply of the choruses of every kind, and every tribe, as a general rule, was required to furnish a choregus and a gymnasiarch for the celebration of a solemnity', p. 589 of Lamb's transl. of Boeckh III xxii sub finem.

§ 22. ἵνα διαθῶμεν] 'In order, then, that during the whole time thirty persons more may bear the public burdens for us, are we to make all men mistrust us?' **παρὰ πάντα τὸν χρόνον**, inf. 142; 5 § 2; 18 § 10; inf. 56 **παρὰ πάντα τὸν λόγον**. The services of the additional thirty who are now exempt would not be called for in every year (**κατ' ἐνιαυτόν**), but would be spread over the whole period of time during which the periodical services were required. This explanation agrees with that of Westermann: '**παρὰ πάντα τὸν χρόνον** d. h. nicht ein für allemal, für alle Zeit, sondern auf die ganze Zeit, welche vergehen musste, bis die Leiturgien die Reihe durch alle dazu Verpflichteten durchgemacht hatten, den Turnus vollendet war (worauf auch **ἅπαξ** § 28 zu beziehen). *Zeitschr. für Alt.* 1844, p. 884. Similarly Darester: 'pendant toute la période de temps nécessaire pour répartir la liste des contribuables appelés à fournir les liturgies à tour de rôle'.

ἀπίστως ... διαθῶμεν] Lysias *Agoran.* 13 § 11 **οἱ διαθεῖν ὑμᾶς ἀπορον**, in the same sense as **δι' ἀπορίαν ἔχειν** in the same passage.

ἅπερ ἡ πόλις ᾖ] 'provided that Athens continues to exist'. *Phil.* iii 20 **ἅ δὲ ἡ πόλις**, *Ep.* i. 64 **ὅσα ἐστὶ τῆς Ἀθηναίων πολιτείας**.

οὐκ ἐπιλείψουσιν] Such failure, however, was not unknown in former times. In 380 B.C. when Aristophanes brought on the **Ἀολοσίκωνα**, we are told by Platonius (quoted by Meineke, *Com. Gr.* I 344 and Dindorf, *Prolegg. Aristoph.* ed. 1830, p. 193): **ἐπέλιπον οἱ χορηγοί· οὐ γὰρ ἦν προθυμία εἶχον οἱ Ἀθηναῖοι τοὺς τὰς δαπάνας τῶν χορηγιῶν ἀναλίσκοντας**

χειροτονεῖν. τὸν γοῦν Αἰολοσίκωνα Ἀριστοφάνης ἐδίδαξεν, ὃς οὐκ ἔχει τὰ χορικὰ μέλη. τῶν γὰρ χορηγῶν μὴ χειροτονουμένων καὶ τῶν χορευτῶν οὐκ ἐχόντων τὰς τροφὰς ὑπεξηρέθη τῆς κωμῳδίας τὰ χορικὰ μέλη. A few years later than this speech, Dem. himself testifies to the difficulty that arose in finding a **χορηγός** (B.C. 350); *Mid.* 13 **οὐ καθεστηκότος χορηγοῦ τῇ Πανδιονίδι φυλῇ τρίτον ἔτος τουτί... παρελθὼν ὑπεσχόμην ἐγὼ χορηγήσειν.** It was not till after the death of Demosthenes and the extinction of Athenian independence that the state had to take upon itself the duties of the choregus, namely in B.C. 307 and at the beginning of the third century; and also in B.C. 271 (CIG 225, 226) when it was victorious in the choruses of boys and of men (Boeckh, *P. E.*, III xxii ad fin., with Frankel's note 765). CIA ii 1289—1299 **ὁ δῆμος ἐχορήγει.** *Introd.* § 2, p. vii.

τοὺς πρότερον ποιήσαντας ἐὰν ἠδικημένους ἴδῃ] On the position of **ἐάν**, immediately before the verb and immediately after an emphatic part of the sentence, see note on § 25 init. and on § 43.

§ 23. τὰ μάλιστα] 45 § 25 **εἰ τὰ μάλιστα ἐγίγνετο ἡ πρόκλησις, ὡς οὐκ ἐγίγνετο.**

εἰς συντέλειαν ἀγαγεῖν τὰς χορηγίας] 'to bring the public stewardship into a system of partnership', as we have already done in the case of the trierarchies. Such an arrangement would, of course, allow of persons of smaller means bearing with the help of their partners the burden which would have been too heavy for them alone. The reference is to the third form of the trierarchy, and to the system which was introduced by the law of Periander mentioned 157. In the previous year, as a sufficient number of trierarchs could not be procured, it had become necessary to summon individuals voluntarily to perform the duties of [illegible] trierarchy: to obviate these [illegible] the duties of the

ἀγαγεῖν[s] τὰς χορηγίας ὥσπερ τὰς τριηραρχίας, ἢ τοὺς εὐεργέτας ἀφελέσθαι τὰ δοθέντα; ἐγὼ μὲν ἐκεῖνο οἶμαι. νῦν μέν γε τὸν χρόνον, ὃν ἂν τούτων ἕκαστος λῃτουργῇ, δίδωσι[t] τὴν ἀνάπαυσιν αὐτοῖς μόνον, μετὰ ταῦτα δ' οὐδὲν ἔλαττον ἕκαστος αὐτῶν ἀνα-
464 λώσει· τότε δ' ἂν μικρᾶς συντελείας ἀπὸ τῶν ὑπαρχόντων ἑκάστῳ γιγνομένης, οὐδὲν ἔπασχε δεινὸν οὐδείς, οὐδ' εἰ πάνυ μικρὰ κεκτημένος ἦν.

Οὕτω τοίνυν τινές, ὦ ἄνδρες Ἀθηναῖοι, σφόδρ' ἔχουσ' ἀλογίστως, **24** ὥστ' ἐπιχειροῦσι λέγειν πρὸς μὲν ταῦτ' οὐδέν, ἄλλα δὲ τοιαδί, ὡς ἄρα δεινόν, εἰ ἐν κοινῷ μὲν μηδ' ὁτιοῦν ὑπάρχει τῇ πόλει, ἰδίᾳ δέ τινες πλουτήσουσ' ἀτελείας ἐπειλημμένοι. ἔστι δὲ ταῦτ' ἀμφότερα[u] οὐχὶ δίκαιον λέγειν. εἰ μὲν γάρ τις ἔχει πολλὰ μηδὲν ὑμᾶς ἀδικῶν, οὐχὶ δεῖ δήπου τούτῳ[v] βασκαίνειν· εἰ δ' ὑφῃρημένον

[s] *εἰς συντέλειαν ἀγαγεῖν*, tres breves intactas reliquit Blass; ita etiam Apsin. p. 511 Spengel, schol. Hermog. iv 623 Walz. Cp. Aristid. ii 631 Dindorf, *εἰς ἀτέλειαν ἄγειν*. [t] *δίδωσιν* S (v Wr). [u] *ἀμφότερα* S L: *ἄμ' ἀμφότερα* vulg. (B); quod 'non videtur Demosthenes unquam dixisse' Voemel. [v] *τούτῳ* L et vulg. (B D W Wr); cf. Bekkeri Anecdota p. 130, ΒΑΣΚΑΙΝΩ· *αἰτιατικῇ Δημοσθένης ἐκ τοῦ περὶ τῆς ἐν Χερρονήσῳ μάχης* (Chers. § 19) etc. *ἐκ τοῦ πρὸς Λεπτίνην*

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trierarchy were assigned to 1200 partners (*συντελεῖς*), the most wealthy persons in the state, who were divided into 20 *συμμορίαι*. Of the members of the latter a certain number, often 5 or 6, sometimes 15 or 16, were associated together for the purpose of equipping a vessel, and this association was called a *συντέλεια* (Boeckh, IV xiii). This system prevailed until 340 when it was changed into a system of trierarchy by assessment alone, on the proposal of Demosthenes himself (*de Cor.* § 102 f.). See also his speech *περὶ συμμοριῶν*.

ἐγὼ μὲν] without *δέ*, §§ 4, 10.

νῦν μέν γε—ἀναλώσει] 'As things are (under the law of Leptines), it is only while each of these is serving, that he gives them their respite'. The subject of *δίδωσι* is *ἕκαστος* (as maintained by G. H. Schaefer, Voemel and Weil), not Leptines or his law (as held by Reiske, Wolf and Westermann). **μόνον** goes with *τὸν χρόνον*, not with *αὐτοῖς* or *ἀνάπαυσιν*. **τούτων**, the thirty hitherto exempt; **αὐτοῖς** and **αὐτῶν** the sixty who are serving for the year (§ 21).

τότε, sc. *εἰ τὰς χορηγίας εἰς συντέλειαν ἠγάγομεν*.

ἀπὸ τῶν ὑπαρχόντων] 'from his property', implying 'in proportion to his property'. The words *ἑκάστῳ γιγνομένης* indicate the share of the expense which legally falls on each of the contributors; *de Cor.* 104 *τὸ γιγνόμενον κατὰ τὴν οὐσίαν ἕκαστον τιθέναι* (Weil).

§ 24. **ἐν κοινῷ—τῇ πόλει**] inf. 25 and 115 *νῦν δ'—εὐπορήσει*. The impoverished condition of the public exchequer was due to the heavy expenditure caused by the Social War. Xenophon *de Vectigalibus* (composed about 356 B.C. Boeckh, IV xxi), 5 § 12 *γνώσεται δέ, ἣν σκοπῇ, καὶ ἐν τῷ νῦν χρόνῳ διὰ μὲν τὸν πόλεμον καὶ τῶν προσόδων πολλὰς ἐπιλειπούσας καὶ τὰς εἰσελθούσας εἰς παντοδαπὰ πολλὰ καταδαπανηθείσας κ.τ.λ.* Isocr. *de Pace* (355 B.C.) § 19 *ὁ μὲν τοίνυν πόλεμος ἀπάντων ἡμᾶς τῶν εἰρημένων* (security, wealth, popularity) *ἀπεστέρηκεν· καὶ γὰρ πενεστέρους ἐποίησε κ.τ.λ.*, and § 46 *ἐνδεεῖς τῶν καθ' ἡμέραν ἐσμέν*. The impoverishment is described as still continuing in 352 B.C. the date of Or. 23 *Aristocr.* § 209 *οὐδὲ μιᾶς ἡμέρας ἐφόδιά ἐστιν ἐν τῷ κοινῷ*.

ἀτελείας ἐπειλημμένοι] 'by having got hold of an exemption'. For the gen. cf. *Ol.* iii 27 *ὅσης ἅπαντες ὀρᾶτ' ἐρημίας ἐπειλημμένοι*, Plato *Rep.* 360 D *τοιαύτης ἐξουσίας ἐπιλαβόμενος*, *Politicus* 273 A *γαλήνης*.

ταῦτ' ἀμφότερα...λέγειν] 'To put these two things together' (as if there were any connexion between them).

τούτῳ βασκαίνειν] 'to grudge him, envy him, that wealth'. With the acc.

φήσουσιν ἢ[z] τιν' ἄλλον οὐχ ὃν προσήκει τρόπον[y], εἰσὶ νόμοι καθ' οὓς προσήκει κολάζειν. ὅτε δὲ[z] τοῦτο μὴ ποιοῦσιν, οὐδὲ τὸν λόγον αὐτοῖς τοῦτον λεκτέον. καὶ μὴν περὶ τοῦ γε μὴ[a] εἶναι χρήματα κοινὰ τῇ πόλει, ἐκεῖν' ὑμᾶς δεῖ σκοπεῖν, ὅτι οὐδὲν ἔσεσθ' εὐπορώτεροι, τὰς ἀτελείας ἐὰν ἀφέλησθε· οὐ γὰρ κοινωνεῖ ταῖς δημοσίαις προσόδοις καὶ περιουσίαις ταῦτα τἀναλώματ' οὐδέν. χωρὶς δὲ τούτων, νυνὶ τῇ πόλει[b], δυοῖν ἀγαθοῖν ὄντοιν[c], πλούτου καὶ τοῦ πρὸς ἅπαντας[d] πιστεύεσθαι, ἐστὶ[e] τὸ τῆς πίστεως ὑπάρχον[f]. εἰ

δυτικῇ· εἰ μὲν...τούτῳ βασκαίνειν] τοῦτο S solus (Z V Bl). Hoc in loco non minus sententiae toti convenit personae casus dativus quam alibi rei accusativus,—*de Cor.* § 189 ὁ δέ, σιγήσας ἡνίκ' ἔδει λέγειν, ἂν τι δύσκολον συμβῇ, τοῦτο βασκαίνει.

[z] ἢ L F; om. S A (v). [y] +κεκτῆσθαι L F (W): om. S. [z] ὅτε δὲ, tribus brevibus collocatis; ὅτε δὲ...ποιῶσιν A k[1]; ὅταν δὲ...ποιῶσιν corr. k. Haec indicavit Blass, sed lectionem vulgatam non mutavit. [a] μηδ' εἶναι numeri causa scribendum esse suspicatur Blass. [b] τῇ πόλει, Z D W. νυνὶ τῇ πόλει del. H. Wolf. τῇ del. Dobree; 'πόλει ut p. 57, 19; 432, 10; 474, 9; 613, 7; Thuc. iii 38 fin.' 'Audacius possis χωρὶς δὲ τούτων, δυοῖν ἀγαθοῖν ἅπασιν ὄντοιν,—πιστεύεσθαι, ἔστι τὸ τῆς πίστεως ὑπάρχον νυνὶ τῇ πόλει. Ut nempe ΑΠΑCΙΝ post ΑΓΑΘΟΙΝ exciderit; et νυνὶ τῇ πόλει sint varia lectio, eaque vera, pro ἡμῖν' (Dobree). [c] ὄντοιν om. S[1] P[1] (V Bl): add. L et manus antiqua in S (Z B D W Wr). Fatetur quidem Weilius deleto participio sensum loci clariorem fieri, sed idem ὄντοιν scribae errore fortuito post δυοῖν ἀγαθοῖν omissum esse putat. [d] ἅπαντας L et manus antiqua in S, vulg. (B D V W Wr): ἅπαντα S[1] Q Y (Z Bl). Cf. § 164; Or. 36 § 50 (Funkhänel). [e] μεῖζόν ἐστι L et manus antiqua in S, vulg. (B 1824). [f] ὑπάρχον ἡμῖν L vulg., 'pronomen omisit S, addidit recentior, pallido atramento'

Chers. 19 ταύτην (τὴν δύναμιν) βασκαίνειν καὶ διαφθείρειν, used absolutely ib. 22; *de Cor.* 189 τοῦτο βασκαίνει.

§ 25. **τὰς ἀτελείας ἐὰν ἀφέλησθε**] Dem. frequently places words like ἐὰν and εἰ and ὅπως immediately before the verbs which they introduce. In the present case the adoption of such an order of words prevents hiatus and secures a more emphatic position for τὰς ἀτελείας. Cf. §§ 22, 43.

ταῦτα τἀναλώματα] i.e. the sums expended by individuals on λητουργίαι have nothing to do with the public revenues and the public surplus.

χωρὶς τούτων] *Ol.* ii 4, *de Cor.* 89 ἄνευ τοῦ καλὴν δόξαν ἐνεγκεῖν.

τῇ πόλει constructed with ἐστὶ...ὑπάρχον, and not with δυοῖν ἀγαθοῖν ὄντοιν. The latter construction would imply that the state is at the present time in enjoyment of wealth, as well as general confidence. This would be inconsistent with the context which clearly says that the state is poor. The sense of the passage has been obscured by the distance between πόλει and ἐστὶ. The scholiast observes: ἔχει δέ τινα καὶ λυπρὰ τὴν λέξιν διάφορον. οὐ γὰρ λέγει, ὅτι τῇ πόλει πρόσεστι δύο, καὶ ὁ πλοῦτος καὶ τὸ θαρραλέως πιστεύεσθαι ἀλλά, δυοῖν ὄντοιν ἀγαθοῖν παρὰ πᾶσιν ἀνθρώποις, τῇ πόλει τὸ κρεῖττον ὑπάρχει. The structure of the sentence closely resembles that of a passage written a few years later (B.C. 352) and more clearly expressed: *Aristocr.* 113 δυοῖν ἀγαθοῖν ὄντοιν πᾶσιν ἀνθρώποις, τοῦ μὲν ἡγουμένου καὶ μεγίστου πάντων, τοῦ εὐτυχεῖν, τοῦ δ' ἐλάττονος μὲν τούτου τῶν δ' ἄλλων μεγίστου, τοῦ καλῶς βουλεύεσθαι, οὐχ ἅμα ἡ κτῆσις παραγίγνεται τοῖς ἀνθρώποις. ὄντοιν (as is rightly remarked by Weil) here denotes a potential possession: ἐστὶ...ὑπάρχον an actual one.

Taylor, taking τῇ πόλει with δυοῖν ἀγαθοῖν ὄντοιν, renders *cum duo reipublicae* proponantur *bona;* and similarly Whiston, 'two advantages *open to* the state'; Kennedy 'there being now two advantages for the state'; and so also Pabst and Auger. On the other hand, Benseler and Weil rightly take τῇ πόλει with ἐστὶ...ὑπάρχον.

πρὸς ἅπαντας πιστεύεσθαι] lit. 'to be trusted in one's relations with all men', ἀντὶτου, 4 τῶν πιστευομένων παρ' ὑμῖν, and 108 μείζω τῆς πρὸς αὐτοὺς πίστεως γεγενῆσθαι, Aeschin. 1 § 132 τὴν πρὸς ἀλλήλους πίστιν, and 3 § 25 τὴν πρὸς Κόνωνα γενομένην πίστιν.

τὸ τῆς πίστεως] sc. ἀγαθόν, 'the blessing of good repute'. *Chers.* 67 πόλεως

δέ τις οἴεται δεῖν ὅτι χρήματ' οὐκ ἔχομεν μηδὲ δόξαν ἔχειν ἡμᾶς χρηστήν, οὐ καλῶς φρονεῖ. ἐγὼ μὲν γὰρ εὔχομαι τοῖς θεοῖς, μάλιστα μὲν ἡμῖν καὶ χρήματα πολλὰ γενέσθαι, εἰ δὲ μή, τό γε πιστοῖς εἶναι καὶ βεβαίοις δοκεῖν διαμεῖναι[g].

Φέρε δὴ καὶ τὰς εὐπορίας, ἃς ἀναπαυομένους τινὰς εὐπορήσειν 26
οὗτοι φήσουσιν, εἰς δέον ὑμῖν γιγνομένας δείξω. ἵστε γὰρ δήπου
465 τοῦθ' ὅτι τῶν τριηραρχιῶν οὐδείς ἐστ' ἀτελής, οὐδὲ τῶν εἰσφορῶν τῶν εἰς τὸν πόλεμον[h]. οὐκοῦν ὁ πολλὰ κεκτημένος, οὗτος[i], ὅστις ἂν ᾖ, πόλλ' εἰς ταῦτα συντελεῖ· πᾶσ' ἀνάγκη. καὶ μὴν ὅτι δεῖ τὴν εὐπορίαν εἰς ταῦθ' ὑπάρχειν πλείστην τῇ πόλει, πάντες ἂν ὁμολογήσειαν· παρὰ μὲν γὰρ τὰς ἐπὶ τῶν χορηγιῶν δαπάνας, ἡμέρας μέρος [μικρὸν][j] ἡ χάρις τοῖς θεωμένοις ἡμῶν[k], παρὰ δὲ τὰς[l] τῶν

Voemel. [g] διαμεῖναι S L A al.: διαμένειν vulg. (B 1824, D). [h] τῶν εἰς τὸν πόλεμον secl. Cobet. [i] κεκτημένος οὗτος, Z B D Bl. [j] ἡμέρας μέρος Y O P[1] Mal, al (Bl); μικρὸν 'fortasse recte omissum' Voemel. ἡμέρας μέρος μικρὸν S L (Z B D V W Wr); μικρὸν ἡμ. μέρος vulg. Hermog. 273. Anonymus περὶ σχημάτων viii 637, Tiberius 569 Walz (B 1824). Cf. Aristid. i 155 Dind. μᾶς ἡμέρας μέρει μικρῷ, ib. 679 ἡμέρας μέρει μικρῷ; Liban. iv 988, 20 ἐν μικρῷ μέρει τῆς ἡμέρας; Philostrat. i 220, 11 τραγῳδίας μὲν...ὀλίγη χάρις· εὐφραίνει γὰρ ἐν σμικρῷ τῆς ἡμέρας. Haec omnia quae lectionem vulgatam tueri videntur, solito animi candore indicat Blassius, qui merito addit: 'ne verum quidem est, exiguam partem diei haec delectasse.' Rhetorum in scholis locus noster sine dubio, ut egregium ἀντιθέσεως exemplar, identidem decantatus, et fortasse in partem deteriorem a magistris mutatus.
[k] ἡμῶν S al. (edd.) ἡμῶν ἐστι L A F. ἡμῶν om. Hermogenes iii 275 Walz (Bl).
[l] πᾶρᾶ δὲ τὰς omnes: παρὰ τὰς δὲ Bl.

γὰρ ἔγωγε πλοῦτον ἡγοῦμαι συμμάχους, πίστιν, εὔνοιαν, ὧν πάντων ἔσθ' ὑμεῖς ἄποροι.

γενέσθαι...διαμεῖναι] An obvious contrast between *winning* the wealth Athens does not at present possess, and *keeping* the credit which she actually enjoys.

πιστοῖς] assimilated to the case of ἡμῖν. The order is τὸ διαμεῖναι δοκεῖν εἶναι πιστοῖς. As in § 6 the position of εἶναι and δοκεῖν is due to a love of symmetry of form, and not to any desire to contrast them with one another.

§ 26. **φέρε**] This use of the singular imperative instead of the plural is doubtless due to the word having become a stereotyped form in conversational Greek. The singular number which is proper in conversation between one person and another is thus retained even when a large audience is being addressed. Similarly in § 66 and in other speeches, *Chers.* 34, *Symm.* 27, *Rhod.* 26 φέρε γὰρ πρὸς θεῶν σκοπεῖτε. So with εἰπέ μοι in *Phil.* i § 10 with βούλεσθε, and in *Chers.* 74 with βουλεύεσθε (Kühner ii 75). Cf. ὅρα, § 21.

ἀναπαυομένους] 23 δίδωσι τὴν ἀνάπαυσιν. **τῶν τριηραρχιῶν οὐδείς ἐστ' ἀτελής**] § 18 ad fin.

οὗτος] resuming the sense of ὁ πολλὰ κεκτημένος, as in 1 § 16; 2 § 6; 6 § 22 τὸν τὴν πυλαίαν ἀποδόντα, τοῦτον, 8 § 56; 9 § 17 ὁ...ταῦτα πράττων καὶ παρασκευαζόμενος, οὗτος ἐμοὶ πολεμεῖ, and 18; 18 § 159 ὁ γὰρ τὸ σπέρμα παρασχών, οὗτος τῶν φύντων κακῶν αἴτιος, 54 § 21 τοῖς δι' ἡλικίαν τούτων τι πράττουσι, τούτοις (Rehdantz, *indices*, i, s. v. οὗτος).

ὅστις ἂν ᾖ] whether he is exempt from certain public burdens or not (Weil).

συντελεῖ] future, as in § 28 συντελοῦσιν.

παρὰ μὲν γὰρ—πάσῃ τῇ πόλει] The contrasted points in this elaborately antithetical sentence deserve careful notice. The expenditure incurred in theatrical entertainments is contrasted with the liberal supply of the equipments of war; the [small] portion of a day, with all time; the spectators, with the whole of the state; the passing gratification afforded by the play, with the abiding security ensured by the state being ready, if need be, for war. This sentence is quoted by Hermogenes, iii 273 Walz, with the comment: δύο γὰρ κῶλα συντεθέντα δύο κώλοις ἑτέροις

εἰς τὸν πόλεμον παρασκευῶν[m] *ἀφθονίας, πάντα τὸν χρόνον ἡ*
27 *σωτηρία πάσῃ*[n] *τῇ πόλει. ὥσθ' ὅσον ἐνθάδ' ἀφίετε, ἐκεῖ κομίζεσθε, καὶ δίδοτ' ἐν τιμῆς μέρει ταῦτα, ἃ καὶ μὴ λαβοῦσιν ἔστιν ἔχειν τοῖς τοῦ τριηραρχεῖν ἄξια κεκτημένοις. ἀλλὰ μὴν ὅτι τῶν τριηραρχιῶν οὐδείς ἐστ' ἀτελής, οἶμαι*[o] *μὲν ὑμᾶς εἰδέναι πάντας, ὅμως δὲ καὶ τὸν νόμον ὑμῖν αὐτὸν ἀναγνώσεται. λαβὲ τὸν περὶ τῶν τριηραρχιῶν νόμον καὶ λέγε τοῦτ' αὐτό.*

ΝΟΜΟΣ.

Ἀτελῆ δὲ μηδένα εἶναι τριηραρχίας πλὴν τῶν ἐννέα ἀρχόντων[p].

28 *Ὁρᾶθ' ὡς σαφῶς, ὦ ἄνδρες Ἀθηναῖοι, μηδέν' εἶναι τριηραρχίας ἀτελῆ διείρηκεν*[q] *ὁ νόμος πλὴν τῶν ἐννέ' ἀρχόντων. οὐκοῦν*

[m] *τῶν παρασκευῶν* delebat Hirschig, *Philol.* v 332: 'nam *τὰ εἰς* vel *τὰ πρὸς τὸν πόλεμον* dicitur pro *παρασκευὴ* omnium rerum quae ad bellum pertinent'. Ergo saltem *τῶν* retinendum est. Sed cf. Polyb. iv 7 § 7 *τῆς περὶ τὰ πολεμικὰ παρασκευῆς* (Voemel). [n] *πάσῃ* om. cum A, Hermogenes, Anon. (Bl). Post *πόλει* est in V O P, Mal. Cf. Liban. iv 567, 12 *τοῖς ἀριστεύουσι, παρ' ὧν ἡ σωτηρία τῇ πόλει* (Blass). [o] *οἶμαι* codices omnes (D V W Wr): *οἴομαι* (Z B Bl). [p] cancellos quibus Dindorfius formulam incluserat, sustulit Blassius. [q] *διείρηκεν* codices secuti editores omnes praeter Dindorfium et Westermannum qui Dobraei coniecturam *διῄρηκεν* praetulerunt. Westermanni in editione denuo edenda *διείρηκεν* revocavit Rosenberg.

[n] *διαρρήδην εἶπεν* schol. *διείρηκεν* L. *γρ διῄρηκε* Ald V. *γρ ᾗ* (loco *ει*) marg. P.

συνοχευγμένοις ὥσπερ ἐν στροφῇ καὶ ἀντιστρόφῳ τὴν ἀνταπόδοσιν ἔχει. ἐνταῦθα δὲ τὸ κάλλος καὶ αἱ παραιώσεις ἐποίησαν, οὐ μόνον ὁ κατὰ ἀσύγκρισιν μεμιμημένος. Also by Tiberius, viii 809 W, as an example of *τὸ ἀντίθετον κατὰ κῶλον*, and by an anonymous rhetorician, ib. 637, to illustrate *τὸ ψυχικὸν ἀπομιμούμενον*.

παρά] 'by reason of', 'owing to'. The same development of the original local sense may be noticed in the Latin *propter*, and the vulgar English, 'along of', inf. § 88, 201; Ar. Ach. 343 *παρὰ ταῦτα*, where Westermann quotes 4 § 11 *οὐδὲ γὰρ αὐτῶν παρὰ τὴν αὐτῶν βλάβην τοσούτων ἀγαθῶν ἄνδρα παρὰ τὴν φυσικὴν ἀνθρώπου δύναμιν, ἀλλὰ παρὰ τὴν ἀξίαν*; 3 § 31; 8 § 18; 13, 15, 320, 330.

§ 27. ὅσον κομίζεσθε] 'It is as broad as it is long. 'As much as you bargain here (in granting the exemption), you get there' (in receiving contributions for the purposes of war). At the same time, as observed by Weil, the state has no guarantee that the wealthy will spend on herself what they gain by reason of enjoying the exemption. What is to prevent their spending it as they please in luxurious living?

ἐν τιμῆς μέρει] 'by way of distinction', lit. 'in the part of (under the title, head, or class of) honour'; *per honoris speciem* (Voemel). *Meid.* 165 *ἐν χάριτος μέρει καὶ δωρεᾶς παρεῖχον*, and 166 *τοῦτ' ἐν εὐεργεσίας ἀριθμήσει μέρει*, *Ol.* ii 18 *ἐν οὐδενὸς εἶναι μέρει*, *Aristocr.* 56 *ἐν ἐχθροῦ μέρει*, and 148 *ἐν σφενδονήτου καὶ ψιλοῦ μέρει...ἐν δώρου μέρει*, *Ol.* iii 31 *ἐν ὑπηρέτου καὶ προσθήκης μέρει γεγένησθε*, *Megal.* 19 *ἐν κατηγορίας μέρει ποιεῖσθαι*, *Leoch.* 50 *ἐν τεκμηρίου μέρει ποιεῖσθαι*, Aeschin. 1 § 126 *ἐν σκώμματος μέρει* and 151 *ἐν εὐχῆς μέρει*. Cic. *Phil.* xi 3 mors in beneficii parte numeretur. Cf. inf. § 81 *ἐν ἐχθροῦ τάξει*. Rehdantz, *indices*, s. v. *ἐν*.

ἀναγνώσεται] sc. *ὁ γραμματεύς*.

τοῦτ' αὐτό] 'this particular passage only'. A. T. 40 *λέγε μοι λαβὼν ἐκ τῆς προτέρας ἐπιστολῆς αὐτὸ τοῦτο, ἐνθένδε*, 58 § 14 *καὶ μοι λέγε τοῦτ' αὐτὸ τοῦ νόμου*, *Aristocr.* § 88 *ἐξ ἑκάστου τῶν ψηφισμάτων αὐτὸ τοῦτ' ἐξαλείψατε*.

ἀτελῆ δὲ κ.τ.λ.] These terms of the law may have been derived simply from the speech itself. Dindorf supposes that Dem. *dixit dicit quidem plura recitari iussurus*.

§ 28. διείρηκεν] 'has stated expressly'.

οἱ μὲν ἐλάττω κεκτημένοι τοῦ τριηραρχίας ἄξι' ἔχειν, ἐν ταῖς

The corresponding pf. to *διαρρήδην* λέγει. The reading of the Paris MS is confirmed by the use of *διαρρήδην* in § 29, and by the explanation of the scholiast (quoted by Weil): *διαρρήδην εἶπεν*. Some of the MSS here (as often elsewhere) shew traces of a confusion between *διείρηκεν* and *διῄρηκεν*. The latter is actually preferred by Dobree, who compares Eur. *Bacch.* 206 *οὐ γὰρ διῄρηχ' ὁ θεὸς εἴτε*, and Thuc. v 26 § 2 *τοῖς...ἔργοις ὡς διῃρῆσθαι ἀθρείτω*. In Dem. *διαιρεῖν* is found in the present tense in *Aristocr.* 79 *ὁ ταῦτα διαιρῶν*, and in the aorist ib. 54 *ὡς ὁσίως καὶ καλῶς διεῖλεν ὁ ταῦτ' ἐξ ἀρχῆς διελών*, cf. 45 § 45 *ὁ νόμος διεῖλεν*. In all these passages it clearly means 'to distinguish' and the evidence of the sense as well as that of the MSS is against any alteration. But, in the perfect tense, the MSS frequently vary between the forms connected with *διειπεῖν* and *διελεῖν* respectively. Thus in § 29 they have *διειρῆσθαι* as well as *διῃρῆσθαι*. In 17 § 28 (*ἐν ταῖς κοιναῖς ὁμολογίαις*) *διειρημένου* and *διῃρημένου* [sic] (Vind. 3, 4, and Pal. 1), which it has been proposed either to alter into *διειρημένον* or to omit altogether. In *Aristocr.* 72 (*ὁ νόμος*) *ἀλλ' ἅττα διείρηκεν ἃ χρὴ ποιῆσαι* one MS v has *δὴ εἴρηκεν*: the manuscript reading *διείρηκεν* is there retained by Baiter and Sauppe and by Weber; while Dobree's alteration *διῄρηκεν* is accepted by Dindorf and Weil. In § 140 of the same speech, *οὐ διείρηται τί πρακτέον ἢ μή*, the MSS A k r s v have *διῄρηται* which is accepted by the same two critics. In *Pant.* 35, *οὗτος σαφῶς ὁ νόμος διείρηκεν*, the reading *διῄρηκεν* (corr. B) is preferred by Dobree and Dindorf: while *διείρηκεν*, the reading of the best MSS, is retained by Baiter and Sauppe.

The usage of other Attic writers is in favour of retaining in Dem. the forms from *διειπεῖν*, such as *διείρηκε* and *διειρῆσθαι*, when those forms make better sense than the forms from *διαιρεῖν*. Thus we have Soph. *O. T.* 394 *τό γ' αἰνιγμ' οὐχὶ τούπιόντος ἦν ἀνδρὸς διειπεῖν* ('to declare', 'solve'), and 854 *ὃν γε Λοξίας διεῖπε* ('said expressly') *χρῆναι παιδὸς ἐξ ἐμοῦ θανεῖν*. In Plato, *Phaedr.* 253 C—D, *τριχῇ διείλομεν ψυχὴν ἑκάστην* is followed by *ἀρετὴ δέ τις τοῦ ἀγαθοῦ ἢ κακοῦ κακία, οὐ διείπομεν*. The latter form is also found in *Politicus* 275 A. In *Legg.* 809 E we have *ταῦτα οὕτω σοι πάντα ἱκανῶς παρὰ τοῦ νομοθέτου διείρηται* (where most MSS read *διῄρηται*), followed by *ὡς οὕτω διείρηκέ σοι*, ib. 813 A *διείρηται* and *διείρηκας*, 932 E *διείρηται, διερρήθη, διάρρησις* and *διαρρήδην εἴπομεν* (partly from Benseler's and Rosenberg's notes; see especially Rutherford's *New Phrynichus*, pp. 329—332).

On the other hand, forms from *διαιρεῖν* in the sense of 'distinguishing' are found in Isaeus 11 § 22 *διῄρηται καθ' ἕκαστον περὶ αὐτῶν*, Dem. 24 § 19 *περὶ ἑκάστου διελόμενον λέγειν* and 27 § 12 *χωρὶς ἕκαστα διελεῖν*, cf. 45 § 45. In the spurious speech 61 § 48 it means 'to contrast' (Benseler). But in the passage from Isaeus the primitive reading must have been *διείρηται*, as is proved by the subsequent phrase *ὁ νόμος διαρρήδην κελεύων τοῦ μέρους ἕκαστον λαγχάνειν* (Rutherford, p. 332).

In the present passage the sense supports *διείρηκε*. If we state the fact in the present tense, it is easier to understand *ὁ νόμος διαρρήδην λέγει μηδὲν' εἶναι τριηραρχίας ἀτελῆ* than to give any explanation of *ὁ νόμος διαιρεῖ κ.τ.λ.*

πλὴν τῶν ἐννέ' ἀρχόντων] This passage is, so far as I know, the only authority for the fact that the archons alone, as the highest authorities of the state, enjoyed a personal exemption from the trierarchy. But the same exemption was enjoyed by the property of 'heiresses', of wards and of *cleruchi*, and also by property possessed by two or more persons in common (*de Symm.* 16). The abolition of *these* exemptions was not even proposed by the law of Leptines; otherwise, this point would not have been passed over by Dem. (Boeckh, IV xi). Cf. *Introd.* § 3.

τοῦ τριηραρχίας ἄξι' ἔχειν] The amount of property which at this time obliged its possessor to undertake the expense of the trierarchy, is nowhere stated. It has been inferred from the document inserted in *de Cor.* 106 that it was 10 talents, for it is there provided, as part of the reform introduced by Dem. into the arrangements for the trierarchy, that those whose property was below that amount should be formed into a *συντέλεια* whose property would amount in all to that sum (*οἷς ἐλάττων οὐσία ἐστὶ τῶν δέκα ταλάντων, εἰς συντέλειαν συναγομένοις εἰς δέκα τάλαντα*). But the authority of this document is, to say the least, very doubtful. See Boeckh, *P. E.* IV xv last par., p. 748.

εἰσφοραῖς συντελοῦσιν εἰς τὸν πόλεμον, οἱ δ' ἐφικνούμενοι τοῦ τριηραρχεῖν, εἰς ἀμφότερ' ὑμῖν ὑπάρξουσι χρήσιμοι, καὶ τριηραρχεῖν καὶ εἰσφέρειν. τίν' οὖν ῥᾳστώνην τοῖς πολλοῖς ὁ σός, ὦ Λεπτίνη, ποιεῖ νόμος, εἰ μιᾶς ἢ δυοῖν φυλαῖν ἕνα χορηγὸν καθίστησιν, ὃς ἀνθ' ἑνὸς ἄλλου τοῦθ' ἅπαξ ποιήσας ἀπηλλάξεται[r]; ἐγὼ μὲν οὐχ ὁρῶ. τῆς δέ γ' αἰσχύνης ὅλην ἀναπίμπλησι τὴν πόλιν καὶ 466

[r] ἀπηλλάξεται Cobet (v w wr Bl): ἀπαλλάξεται codd. (edd. priores). 'Sententia manifesto postulat ἀπηλλαγμένος ἔσται. Itaque una vocali mutata scribe ἀπΗλλάξεται, de qua forma diligenter egi in *Novis Lectionibus*, pag. 242 sq.' Cobet.

συντελοῦσιν] future, as shewn by *ὑπάρξουσι* in the parallel clause.

ἐφικνούμενοι] those who reach the standard of the trierarchy; those who, by reason of being exempt from the ordinary *λητουργίαι*, have enough property to enable them to undertake the expenses of the trierarchy.

τίν' οὖν ῥᾳστώνην κ.τ.λ.] The professed object of the law of Leptines was to make the public burdens fall on wealthier persons (§ 18) and thus to relieve the general public. Dem. here contends that the extent of that relief would be very trifling. We may fairly assume that in the present sentence he has the citizens alone in view; to prove this, it is enough to point to *τοῖς πολλοῖς* ('the less wealthy citizens') and to the mention of 'tribes'. Keeping this in view, we can now explain the somewhat obscure clause in which the law of Leptines is described as 'appointing one choregus for one or two tribes'. The orator has already spoken of the number of citizens who are exempt. He has already reckoned them at 5 or 6 (§ 21). He has also reckoned the total number (citizens and *μέτοικοι*) exempt at 16; but he is willing to put it at 30, nearly double the former number. The number of citizens in the higher estimate may therefore be fairly reckoned at nearly double of 5 or 6, i.e. nearly 10 or 12. Thus we have about 5 citizens exempt by the lower estimate, and about 10 by the higher. 10 citizens spread over 10 tribes would give one choregus to each tribe; and 5 citizens would give one to every two tribes. The above explanation agrees in the main with that given by Markland, Auger and Wolf.

A somewhat different one is given by G. H. Schaefer who holds that the *μέτοικοι* as well as the citizens are kept in view, and who takes the lower estimate of the number exempt in both cases, namely, less than 5 *μέτοικοι* and 'less than 5 or 6' (or 'not more than 5 or 6') citizens. This gives a total of less than 10; say 9, i.e. one each for 8 of the 10 tribes, and one for the remaining two tribes, or as Dem. puts it, 'one choregus for one or two tribes'. Or, again, confining the reference to the citizens alone, which is the modified form in which Schaefer's view is represented in Weil's note, the addition of 5 citizens would give only one to every two tribes; the addition of 6, four to eight of the tribes and one to each of the remaining two.

The scholiast's note is inadequate, and is only interesting as showing that the explanation of this passage was a moot point among early commentators on Dem. *τοῦτο ὡς ἀσαφὲς δῆθεν ζητεῖται, καὶ ἐξηγήσαντό τινες, ὡς ἐν τοῖς Θαργηλίοις δυοῖν φυλαῖν εἷς μόνος καθίστατο χορηγός· τοῖς δὲ μεγάλοις Διονυσίοις, Ἀνθεστηριῶνος μηνός, πλείονος αὐτῷ γενομένης τῆς δαπάνης, εἷς χορηγὸς ἑκάστης φυλῆς καθίστατο.* His own explanation only amounts to saying that by 'one' choregus Dem. means one additional choregus.

χορηγὸν] in the wider sense of the term, = *τὸν λητουργοῦντα*.

ἅπαξ] not annually, but only once in the cycle of the ordinary *λητουργίαι*.

ἀπηλλάξεται, paullo post fut., *liberatus erit*.

ἐγὼ μὲν] *Chers.* 37 *ἐγὼ μὲν γὰρ οὐχ ὁρῶ.* §§ 4, 12.

τῆς δέ γ' αἰσχύνης] §§ 10, 21.

ἀναπίμπλησι 'taints', of filling with infection, as in § 50. *Timocr.* 205 *δόξης ἀναπιμπλάναι φαύλης*, Aeschin. *F. L.* 72 *ἡ πόλις ἡμῶν...τῆς τῶν λῃστῶν δόξης ἀνεπίμπλατο*, and 88 *ἑαυτὸν ἀναπλῆσαι φόνου δικαίου*, Deinarchus, *Dem.* 31 *καὶ τοὺς πράττοντας ὑπὲρ ὑμῶν τι τῆς αὐτοῦ τύχης ἀνέπλησεν.* These passages may be entered in Liddell and Scott under the same heading as Thuc. ii 51, and Plat. *Apol.* 32 D, *Phaedo* 67 A.

The present passage is unsatisfactorily entered in that lexicon under the head

τῆς ἀπιστίας. οὔκουν ὅτε πολλῷ μείζονα βλάψει τῶν ὠφελιῶν[m] ὧν ἔχει[n], προσήκει λελύσθαι παρὰ τοῖσδ' αὐτόν; ἔγωγ' ἂν φαίην.

Ἔτι δ', ὦ ἄνδρες δικασταί, διὰ τὸ[t] γεγράφθαι[u] ἐν τῷ νόμῳ 29
διαρρήδην αὐτοῦ "μηδένα μήτε τῶν πολιτῶν μήτε τῶν ἰσοτελῶν "μήτε τῶν ξένων εἶναι ἀτελῆ", μὴ διειρῆσθαι[v] δ' ὅτου [ἀτελῆ][x], χορηγίας ἢ τινος ἄλλου τέλους, ἀλλ' ἁπλῶς "ἀτελῆ μηδένα πλὴν

[m] S (Bl), cf. 102. [n] ὧν ἔχει] 'nimium his verbis adversario concedere videtur, et Aristid. i 595 habet πλείω τὴν βλάβην τῆς ὠφελείας ἔχει, ut conicias scribendum esse πολλῷ μείζονα βλάβην τῶν ὠφελιῶν ἔχει.' Blass. [t] διὰ τοῦ ut tres syllabae breves vitarentur scripsit Bl, collato § 5. [u] γεγράφθαι μὲν ἐν hiatus vitandi causa Benseler. ἐν τῷ νόμῳ delere vult Bl, quo fit ut αὐτοῦ *hoc ipso in loco* significet. 'Quo pertinet αὐτοῦ? Nempe ad τῷ νόμῳ, inquies. Licetne igitur sic διαρρήδην interponere? Non licet. Deleamus igitur iners et superfluum pronomen' Cobet. [v] διειρῆσθαι S O Y F vulg. (v Wr Bl): διηρῆσθαι L A P (z B D w, et G. H. Schaefer). 'Scribe ΔΙΕΙΡΗϹΘΑΙ, vel potius ab optimis libris oblatum recipe. Sexcenties videbis inter se confundi διείρηκα—διήρηκα et διείρημαι—διήρημαι tantum non in omnibus libris etiam antiquissimis et fidelissimis. Fere numquam διηρῆσθαι caret variante scriptura διειρῆσθαι et contra. Hoc unum spectandum quoque loco est utrum sententia verborum διαιρεῖν postulet an διαγορεύειν id est διαρρήδην λέγειν... διαιρεῖν et διορίζειν de lege promiscue et eodem sensu dicitur apud omnes, ubi *res diversae distinguuntur* et omnino ubi *discrimen aliquod constituitur*, διαγορεύειν contra *diserte, disertis verbis dicere*... (In loco nostro) nullus est διορισμός, sed hoc dicit Orator non esse id in lege *expresse* scriptum' Cobet. [x] propter hiatum seclusit Bl.

of to 'fill full of a thing'. Cf. ἀνάπλεως and Livy iv 30 'urbs deinde *impletur*' and xxv 26 'eadem vi morbi *repletos*'.

παρὰ τοῖσδε, 'in this court'. **ἔγωγε**, 'I for my part', whatever Leptines may think to the contrary.

§ 29. **γεγράφθαι**...**διαρρήδην**] equivalent in sense to διειρῆσθαι.

ἰσοτελῶν] Strangers domiciled at Athens who, as their name implies, paid the same taxes as the citizens. They enjoyed the same civil rights as the latter, but had no political privileges. They were thus in a position intermediate between that of citizens and ordinary resident aliens (μέτοικοι), who paid the tax called μετοίκιον, and required a προστάτης (cf. Schömann's *Antiquities of Greece* i 354 Eng. trans.). The closest English parallel to the term is the now obsolete *denizen:* 'an alien born, who has obtained *ex donatione reginae* letters patent to make him an English subject [a procedure superseded in 1870]. A denizen is in a kind of middle state, between an alien and a natural-born subject, and partakes of both of them' (Warren's Blackstone, p. 268).

ξένων] an inaccurate term for μετοίκων.

διειρῆσθαι] here, as in § 28, there is a conflict of evidence between the perfect of διαιρεῖν and of διειπεῖν. There is something to be said for both; διειρῆσθαι has a closer affinity to the preceding phrase γεγράφθαι διαρρήδην and may be considered a kind of echo of its meaning. On the other hand, διηρῆσθαι makes somewhat better sense in connexion with the words ὅτου [ἀτελῆ] and with the subsequent verb διορίζειν. The similarity of the two senses may be exemplified by 56 § 11 διαρρήδην ἡμῶν διορισαμένων ἐν ταῖς συνθήκαις, where the two senses are combined, the adverb corresponding to διειπεῖν, and the participle to διαιρεῖν.

χορηγίας—τέλους] 'Whether from an ordinary public stewardship (λητουργία) or from any other tax'. χορηγία is understood by some (e.g. Benseler and Westermann) in the narrow sense of the term, of the 'choral stewardship' alone; if so, τέλους would be equivalent to λητουργίας. But, as is justly observed by Weil, Demosthenes implies that Leucon's privileges would not be affected at all by the law of Leptines, if that law abolished exemption from the χορηγία alone. 'Clearly', he continues, 'there is no room for distinguishing here between the χορηγία properly so called, and the ordinary λητουργίαι; χορηγία is here used in the wider sense in which it has already occurred in § 19. As a foreign prince, Leucon was not liable to any λητουργία. The words ἄλλου τέλους refer to the custom-house dues from which Leucon was [as some suppose] exempt at Athens, just as the Athenians were exempt in the ports of Leucon's dominion. This is the

"τῶν ἀφ' Ἁρμοδίου καὶ Ἀριστογείτονος", καὶ ἐν μὲν τῷ "μηδένα" πάντας περιλαμβάνειν τοὺς ἄλλους, ἐν δὲ τῷ "τῶν ξένων" μὴ διορίζειν τῶν οἰκούντων Ἀθήνησιν, ἀφαιρεῖται καὶ Λεύκωνα τὸν ἄρχοντα Βοσπόρου καὶ τοὺς παῖδας αὐτοῦ τὴν δωρειὰν ἣν ὑμεῖς

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ordinary interpretation, which has already been given by the scholiast, and ought not to have been challenged. The fact is that Leptines only desired to abolish the immunities relative to the ordinary λῃτουργίαι; as is sufficiently clear from the beginning of his law (§ 127). Demosthenes is picking a quarrel with him by fastening on the merely literal meaning of an isolated phrase'. The actual words of the scholiast are as follows: *οὐ γὰρ εἶπε τὸ εἶδος τῆς ἀτελείας, χορηγίας ἢ τινος ἄλλου τέλους τοιούτου, τέλος λέγων κάνταῦθα τὰς καταβολὰς τελωνείας τὰς παρὰ τῶν ἐμπόρων.*

ἁπλῶς] *Aristocr.* 50 ἁπλῶς, ἄν τις ἀποκτείνῃ Χαρίδημον, ἀγέσθω, where the whole of the context is devoted to verbal criticisms on the terms of the decree in favour of Charidemus.

περιλαμβάνειν, with the subsequent infinitive *διορίζειν*, dependent on *διὰ* understood from the first part of the sentence.

ξένων] Dem. finds fault with Leptines for using so ambiguous a term. Cf. H. Schenkl, *de metoecis Atticis* in *Wiener Studien* 1880 ii 167: '(Clisthenes) peregrinos in Attica habitantes odioso illo *ξένων* nomine, quod iis erat impositum, liberavit. Nam inde ab eo tempore non *ξένοι* sed *μέτοικοι* audiunt: quamquam populus ipse Atheniensis consuetudinem antiquitus traditam diutius retinuisse videtur, id quod ex Aristophanis Equ. v. 347—quem locum de jurisdictione disputantes uberius tractabimus—: *εἴ που δικίδιον εἶπας εὖ κατὰ ξένου μέτοικον*... intellegitur. In legibus tamen atque tabulis publicis vox illa *ξένος* nisi ad civem ab eo, qui civis non esset, distinguendum non adhibebatur. Ac Demosthenes Leptinem, qui in lege scripserat *μηδένα ἀτελῆ εἶναι μήτε τῶν πολιτῶν μήτε τῶν ἰσοτελῶν μήτε τῶν ξένων*, acerbe reprehendit, quod in lege ferenda tam ambiguo usus esset vocabulo'.

διορίζειν] *Aristocr.* 34 *ὁ μὲν δὴ νόμος οὕτως...διώρισεν...ὁ δὲ τὸ ψήφισμα γράφων, πολλοῦ γε δεῖ, διώρισεν*, and 45. Isaeus 3 § 52 *οἱ δὲ νόμοι περὶ ἁπάντων διορίζουσι τούτων.*

καὶ Λεύκωνα] The orator produces a sensational effect by suddenly introducing the name of this prince whose privileges were touched by a verbal inaccuracy in the law of Leptines, who, we may be sure, had no intention of doing anything to his detriment. The ambiguity of the term *ἀτελής* is here made an excuse for charging the law of Leptines with being responsible for imperilling the relations of Athens with the prince whose dominions supplied her with most of her corn.

Leucon succeeded his father Satyrus as prince of the Cimmerian Bosporus (the modern *Crimea*) in 393 B.C. (Ol. 96, 4), and reigned for 40 years, until B.C. 353 (Ol. 106, 4). Diodorus xiv 93 *περὶ τὸν αὐτὸν χρόνον* (the year of Demostratus) *Σάτυρος ὁ Σπαρτάκου μὲν υἱὸς βασιλεὺς δὲ Βοσπόρου ἐτελεύτησεν, ἄρξας ἔτη δεκατέσσαρα· τὴν ἡγεμονίαν δὲ διεδέξατο ὁ υἱὸς Λεύκων ἐπ' ἔτη τεσσαράκοντα*, and xvi 31 *ἐπ' ἄρχοντος Διοτίμου* (B.C. 354–3)... *κατὰ τὸν Πόντον Λεύκων ὁ τοῦ Βοσπόρου βασιλεὺς ἐτελεύτησεν ἄρξας ἔτη τεσσαράκοντα.* The kings of Bosporus are the subject of Appendix 13 in Clinton's *Fasti Hellenici* ii 339 ff., ed. 1841:—'Leucon is described by various testimonies of ancient writers as a prudent, munificent and powerful prince; and the most eminent of this race of kings' (*l. c.* 342). Thus, he is mentioned in terms of honour by the Stoic philosopher Chrysippus (Plutarch, *Moralia*, p. 1043 C, D; cf. Strabo vii 301 B). See also CIG ii p. 90–, and Grote, chap. xcviii.

τὸν ἄρχοντα] It was acutely suggested by Wolf (*Proleg.* p. 61) that it is out of regard to the democratic susceptibilities of the audience, that the orator avoids the obvious term *βασιλεὺς* and prefers *ἄρχων*, *quippe hominem gratiosum et eum cuius in rempublicam merita extollere studet, gratiore Atticis auribus et liberae conditionis nomine commendans.* It has, however, been pointed out by Boeckh that, according to the evidence of inscriptions, the rulers of Bosporus called themselves *ἄρχοντες* in regard to the Greeks residing in their dominion, and *βασιλεῖς* in regard to the barbarian tribes by which they were surrounded (CIG ii 105). Thus one of Leucon's sons, Paerisades I, who ruled from 348—310 B.C., is designated as follows in an inscription found in the neighbourhood of Phanagoria CIG no. 2117: *ἄρχοντος Παιρισάδους τοῦ Λεύκωνος Βοσπόρου καὶ Θευδοσίης καὶ βασιλεύων* [*sic*] *Σινδῶν*

ἔδοτ' αὐτοῖς. ἔστι[y] γὰρ γένει μὲν δήπου ὁ Λεύκων[z] ξένος, τῇ δὲ 30
παρ' ὑμῶν ποιήσει πολίτης· κατ' οὐδέτερον δ' αὐτῷ τὴν ἀτέλειαν

[y] ἔστι μὲν γὰρ γένει μὲν S[1], prius μὲν 'punctis eiusdem atramenti seclusum' (Z V Wr); ἔστι μὲν γὰρ γένει L[1] (prius μὲν delevit, alterum addidit manus recentior): prius μὲν om. vulg. et Priscianus xviii § 171 (B D W Bl). Hoc certe in loco duplex μὲν defendi non potest. [z] ὁ Λεύκων δήπου A (Bl, ut hiatus vitaretur); idem probabat Benseler, de Hiatu, p. 102. 'At γένει δήπου explicandi causa insertum est, qua ratione pausa existit'. Voemel.

καὶ Τορετῶν καὶ Δανδαρίων. 2118 ἄρχοντος Παιρισάδεος Βοσπόρου καὶ Θευδοσίης καὶ βασιλεύοντος Σίνδων καὶ Μαϊτῶν πάντων. 2119 ἄρχοντος Παιρισάδους Βοσπόρου καὶ Θευδοσίης καὶ βασιλεύοντος [Σίνδ]ων καὶ Μαϊτῶν πά[ντων] καὶ Θατέων. Accordingly, Dem. in calling Leucon ἄρχοντα Βοσπόρου may be best regarded as adopting the public and official designation of that prince which was in regular use in describing his relations to the Greeks. But, while the term adopted by Dem. is not necessarily due to his consideration for the political feelings of his audience, we shall doubtless be right in assuming that Deinarchus, in his speech against Demosthenes, was really influenced by such motives, when he purposely employed the odious term τύραννος to designate certain of the successors of Leucon in the government of the Bosporus, whom Demosthenes himself proposed to honour with statues of bronze in the marketplace of Athens: Dein. 1 § 43 τὸ χαλκοῦς ἐν ἀγορᾷ στῆσαι Παιρισάδην καὶ Σάτυρον καὶ Γόργιππον τοὺς ἐκ τοῦ Πόντου τυράννους. Spartocus IV (B.C. 304—284) has the title of βασιλεὺς given him by the Athenians in a complimentary decree of B.C. 286–5; Hicks, *Manual of Gk. Hist. Inscr.* no. 159, l. 42. βασιλεὺς Βοσπόρου Παιρισάδας and τοὺς Βοσπόρου βασιλεῖς occur in later inscriptions (nos. 184 and 185 of Latyschev's *Inscr. orae septent. Ponti Euxini*, 1885).

Strabo, in writing of Panticapaeum, the capital of the dominion of Bosporus, gives these rulers other titles, such as μόναρχος, δυνάστης, and τύραννος, which are expressly avoided in public documents: p. 310 ἐμοναρχεῖτο δὲ πολὺν χρόνον ὑπὸ δυναστῶν τῶν περὶ Λεύκωνα καὶ Σάτυρον καὶ Παιρισάδην αὖτη τε καὶ αἱ πλησιόχωροι κατοικίαι πᾶσαι αἱ περὶ τὸ στόμα τῆς Μαιώτιδος ἑκατέρωθεν μέχρι Παιρισάδου τοῦ Μιθραδάτῃ παραδόντος τὴν ἀρχήν· ἐκαλοῦντο δὲ τύραννοι, καίπερ οἱ πλείους ἐπιεικεῖς γεγονότες, ἀρξάμενοι ἀπὸ Παιρισάδου καὶ Λεύκωνος.

Βοσπόρου] here applied to the district on both shores of the Cimmerian Bosporus, including Phanagoria on the eastern shore, and extending as far to the west as Theudosia. The name Bosporus is also sometimes applied to the capital Panticapaeum (§ 33).

τοὺς παῖδας αὐτοῦ] Spartocus, Paerisades and Apollonius. The first two succeeded their father, and ruled jointly for a few years from 353 to about 347, after which date Paerisades was sole ruler until 310. An inscription in their honour was discovered at Athens and published in the Ἀθήναιον 1877, VI pp. 152 foll. with the heading Σπαρτόκῳ, Παιρισάδῃ, Ἀπολλωνίῳ, Λεύκωνος παισί, shewing that in the archonship of Themistocles (B.C. 347–6) Androtion (against whom Dem. wrote a speech about the same time as the present speech) moved the following resolution: π[ε]ρὶ ὧν ἐπέστειλε Σπάρτοκος κ[αὶ] Παιρ[ισάδη]ς καὶ οἱ πρέσβεις οἱ ἥκοντες π[α]ρ' αὐτῶν ἀπ[α]γγέλλουσιν, ἀποκρί[ν]ασθαι α[ὐτ]οῖ[ς], ὅτι ὁ [δῆ]μος ὁ Ἀθηναίων ἐπαινεῖ Σπάρτοκον καὶ Παιρισάδην ὅτι εἰσὶν ἄνδρες ἀγαθοὶ καὶ ἐπ[αγ]γέλλονται τῷ δήμῳ τῷ Ἀθηναίων ἐπιμ[ελ]ήσεσθαι τῆς ἐκπομπῆς τοῦ[σ]ί[τ]ου, καθάπερ ὁ πατὴρ αὐτῶν ἐπεμελεῖτο [κα]ὶ [ὑπ]ηρετήσειν προθύμως ὅτου ἂν ὁ δῆμος δ[έ]ηται, καὶ ἀπαγγ[έ]λλειν αὐτο[ῖ]ς το[ὺ]ς πρέσβεις, ὅτι ταῦτα ποιοῦντες οὐδενὸ[ς] ἀτυχήσουσι τοῦ δήμου τοῦ Ἀθηναίων· [ὑπ]ὲρ ὧν δὲ τὰς δωρειὰς διδόασιν Ἀθηναίοις ἅσπερ Σάτυρος καὶ Λεύκων ἔδοσαν, εἶναι [Σπ]α[ρτ]ό[κ]ῳ [κ]αὶ Παιρισάδῃ τὰς δωρειὰς ἃς ὁ δῆμος ἔδωκε Σατύρῳ καὶ Λεύκωνι καὶ στεφανῶσαι χρυσῷ στεφάνῳ Παναθηναίοις το[ῖς μεγ]άλοις ἀπὸ χιλίων δραχμῶν ἑκάτερ[ο]ν. The text of the whole is printed with explanatory remarks in Hicks, *Manual of Greek Historical Inscriptions*, no. 111; and in Dittenberger's *Sylloge*, no. 101; and, with an exhaustive commentary by A. Schaefer, in the *Rheinisches Museum*, xxxiii 418 ff.; cf. Hartel's *Studien über attisches Staatsrecht und Urkundenwesen*, pp. 96—101.

τὴν δωρειάν] sc. τὴν ἀτέλειαν.

§ 30. **τῇ—ποιήσει** 'by adoption on your part', here contrasted with γένει (as

ἔστιν ἔχειν ἐκ τούτου τοῦ νόμου. καίτοι τῶν μὲν ἄλλων εὐεργετῶν χρόνον τιν' ἕκαστος ἡμῖν χρήσιμον αὐτὸν παρέσχεν, οὗτος δ', ἂν σκοπῆτε, φανήσεται συνεχῶς ἡμᾶς εὖ ποιῶν, καὶ ταῦθ' ὧν μάλισθ'
31 ἡμῶν ἡ πόλις δεῖται. ἴστε γὰρ δήπου τοῦθ', ὅτι πλείστῳ τῶν πάντων ἀνθρώπων ἡμεῖς ἐπεισάκτῳ σίτῳ χρώμεθα. πρὸς τοίνυν ἅπαντα τὸν ἐκ τῶν ἄλλων ἐμπορίων ἀφικνούμενον ὁ ἐκ τοῦ Πόντου

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in 45 § 78 *τοῖς μὲν γένει πολίταις...τοὺς δὲ ποιητούς*) just as *θέσει* is elsewhere contrasted with *φύσει*.

On the adoption of citizens, see Schömann's *Antiquities of Greece*, p. 355, Eng. trans.

πολίτης] So in an inscription in honour of Spartocus IV in 286–5 B.C. CIA ii 311, l. 8 *ἐπειδὴ [πρότερόν τε οἱ πρόγονοι οἱ] Σπαρτόκου χρείας [παρέσχηνται τῷ δήμῳ καὶ] νῦν Σπάρτοκος πα[ραλαβὼν τὴν εἰς τὸν δῆμον οἰ]κειότητα κοινῇ [τε τῷ δήμῳ χρείας παρέχε]ται καὶ ἰδίᾳ Ἀθη[ναίων τοῖς ἀφικνουμένοις] πρὸς αὐτόν· ἀνθ' [ὧν καὶ ὁ δῆμος ὁ Ἀθηναίων αὐτοὺς] πολίτας ἐποιή[σατο καὶ ἐτίμησ]εν [εἰκόσιν χαλ]καῖς ἔν τε τῇ [ἀγορᾷ καὶ] ἐν τῷ ἐμπορίῳ [καὶ] ἄλλαις δωρεα[ῖς] κ.τ.λ.* Hicks, *Manual of Gk. Hist. Inscr.* no. 159; Dittenberger's *Sylloge*, no. 140.

τὴν ἀτέλειαν] The immunity which Leucon enjoyed was hardly an immunity from the ordinary *λῃτουργίαι*. It would not occur to anyone to suppose that he was really bound to perform such services. Possibly it was simply an immunity from harbour-dues and payments to the custom-house. Similarly in the case of Menon and Perdiccas, according to the spurious Or. 13 (*Syntax.*) 23; but in *Aristocr.* 199 they are more correctly described as receiving not the *ἀτέλεια* but the citizenship.

§ 31. **πλείστῳ—ἐπεισάκτῳ σίτῳ**] *De Cor.* 87 *ὁρῶν δ' ὅτι σίτῳ πάντων ἀνθρώπων πλείστῳ χρώμεθ' ἐπεισάκτῳ* (of Philip's attempt to capture Byzantium and cut off the Athenian supply of corn from the Euxine). In 170 B.C. the Athenian ambassadors boasted that they had delivered to the Roman consul and praetor 100,000 measures of grain, 'quanquam sterilem terram ararent, ipsosque etiam agrestes peregrino frumento alerent' (Livy xliii 6). Except in the Rharian plain, in the neighbourhood of Eleusis, the soil of Attica was far less favourable than that of Boeotia for the cultivation of corn; but, in itself, it was well adapted for the raising of barley, which was the kind of grain most consumed, Theophr., *H. P.*, viii 8, 2 *Ἀθήνησι γοῦν αἱ κριθαὶ τὰ πλεῖστα ποιοῦσιν ἄλφιτα, κριθοφόρος γὰρ ἀρίστη.*

πρὸς] not 'exactly equivalent to', but 'capable of standing a comparison with', 'approximately equal to', *Symm.* 25 *ἐν ταύτῃ (τῇ πόλει) χρήματ' ἐνεστιν ὀλίγου δέω πρὸς ἁπάσας τὰς ἄλλας εἰπεῖν πόλεις.* Herod. iii 94 *Ἰνδῶν δὲ πλῆθός τε πολλῷ πλεῖστόν ἐστι πάντων τῶν ἡμεῖς ἴδμεν ἀνθρώπων καὶ φόρον ἀπαγίνεον πρὸς πάντας τοὺς ἄλλους, ἐξήκοντα καὶ τριηκόσια τάλαντα ψήγματος*, and esp. viii 44 *Ἀθηναῖοι πρὸς πάντας τοὺς ἄλλους παρεχόμενοι νέας ὀγδώκοντα καὶ ἑκατόν* (the rest supplied 98; the total number being 378, according to chap. 48).

ἄλλων ἐμπορίων] The ports of Thrace, Syria, Egypt, Libya, Sicily (Theophrastus, *H. P.* viii 4).

ὁ ἐκ τοῦ Πόντου σῖτος] Strabo, p. 309, describes the district between Theudosia and Panticapaeum as *πᾶσα σιτοφόρος*, and, p. 311, says that in the Tauric Chersonesus the seed sown produced thirty-fold, even with ordinary cultivation: *τῆς δὲ Χερρονήσου, πλὴν τῆς ὀρεινῆς τῆς ἐπὶ τῇ θαλάττῃ μέχρι Θεοδοσίας, ἥ γε ἄλλη πεδιὰς καὶ εὐγεώς ἐστι πᾶσα, σίτῳ δὲ καὶ σφόδρα εὐτυχής, τριακοντάχουν ἀποδιδοῦσα διὰ τοῦ τυχόντος ὀρυκτοῦ σχιζομένη...κἂν τοῖς πρόσθεν χρόνοις ἐντεῦθεν ἦν τὰ σιτοπομπεῖα τοῖς Ἕλλησι.*

Even in the time of Herodotus, there were Scythian tribes on the Borysthenes who cultivated corn solely for the purpose of exportation (iv 17 and 54). The corn grown to the north of the Euxine was of inferior quality to that of the southern coast, but bore exportation better and could be kept for a longer time (Theophr. *H. P.* viii 4, 5 and Aristot. *Probl.* xiv 2, 909 *a* 18, referred to by Büchsenschütz, *Besitz u. Erwerb*, p. 422). Xenophon mentions wheat and barley among the products of Bithynia (*Anab.* vi 4 § 6; 6 § 1); and Strabo describes the neighbourhood of his own birthplace, Amasia in Pontus, as *ψιλὴ τὸ πλέον καὶ σιτοφόρος χώρα* (p. 560). Xerxes at Abydos saw vessels laden with corn from the Euxine

σῖτος εἰσπλέων ἐστίν. εἰκότως· οὐ γὰρ μόνον διὰ τὸ τὸν τόπον τοῦτον σῖτον ἔχειν πλεῖστον τοῦτο γίγνεται, ἀλλὰ διὰ τὸ κύριον ὄντα τὸν Λεύκων' αὐτοῦ τοῖς ἄγουσιν[a] Ἀθήναζε ἀτέλειαν δεδωκέναι, καὶ κηρύττειν πρώτους γεμίζεσθαι τοὺς ὡς ὑμᾶς πλέοντας. ἔχων γὰρ ἐκεῖνος ἑαυτῷ καὶ τοῖς παισὶ τὴν ἀτέλειαν ἅπασι δέδωκεν
467 ὑμῖν. τοῦτο δ' ἠλίκον ἐστὶ θεωρήσατε. ἐκεῖνος πράττεται τοὺς παρ' 32
αὐτοῦ σῖτον ἐξάγοντας τριακοστήν. αἱ τοίνυν παρ' ἐκείνου δεῦρ' ἀφικνούμεναι σίτου μυριάδες περὶ τετταράκοντ' εἰσί· καὶ τοῦτ' ἐκ τῆς παρὰ τοῖς σιτοφύλαξιν ἀπογραφῆς ἄν τις ἴδοι. οὐκοῦν παρὰ

[a] τοῖς ἄγουσι τὸν σῖτον vulg. (B 1824).

sailing through the Hellespont, bound for Aegina and the Peloponnesus (Hdt. vii 147). On the corn trade of Athens there is an article by G. Perrot in the *Revue historique* IV (1877), *le Commerce des céréales en Attique au quatrième siècle avant notre ère*.

εἰσπλέων] For the position of the participle, Westermann quotes §§ 55, 84; 3 § 33 *τοῖς παρὰ τῶν ἰατρῶν σιτίοις διδομένοις*. 5 § 8 *τἀκεῖ χρήματ' ὀφειλόμενα*. 18 § 126 *τὰς ὑπὸ τούτου βλασφημίας εἰρημένας* (cf. Rehdantz, *indices*, s. v. *Stellung*). In some of these instances, as in the present passage, the adoption of the common order of words would involve a *hiatus*, but it seems best to regard the transposition as due not so much to this reason, as to rhetorical emphasis.

τὸν τόπον τοῦτον] 'that region', the shores of the Euxine.

τοῖς ἄγουσιν—δεδωκέναι] The same privilege was continued by Leucon's son Paerisades, 34 (*πρὸς Φορμίωνα*) § 36 *κήρυγμα ποιησαμένου Παιρισάδου* (al. *Παρεισάδου*) *ἐν Βοσπόρῳ, ἐάν τις βούληται Ἀθήναζε εἰς τὸ Ἀττικὸν ἐμπόριον σιτηγεῖν, ἀτελῆ τὸν σῖτον ἐξάγειν*.

πρώτους γεμίζεσθαι] 'to be freighted first'. Similarly Satyrus I, the father of Leucon, and Spartocus I, his grandfather, out of friendship to Athens often sent away empty the corn-ships of other states and allowed corn to be exported to Athens alone. Isocr. *Trapez.* 57 *ἄξιον δὲ καὶ Σατύρου καὶ τοῦ πατρὸς ἐνθυμηθῆναι, οἳ πάντα τὸν χρόνον περὶ πλείστου τῶν Ἑλλήνων ὑμᾶς ποιοῦνται, καὶ πολλάκις ἤδη διὰ σπάνιν σίτου τὰς τῶν ἄλλων ἐμπόρων ναῦς κενὰς ἐκπέμποντες ὑμῖν ἐξαγωγὴν ἔδοσαν*.

ὡς] often used as a preposition with verbs implying motion towards a person or persons, especially of motion towards their house or home. The examples of this use in the orators, as enumerated in the *indices* of Rehdantz, are after *πλεῖν* (as here), and *ἄγειν*, 10 each; *ἔρχεσθαι* 21; *ἥκειν* 6; *ἀφικνεῖσθαι*, *κομίζειν* and *πρεσβεύειν*, 5 each; and also after *ἀποστέλλειν*, *λέναι*, *φοιτᾶν*, *βαίνειν*, *συλλέγεσθαι*, *τρέπεσθαι*, *ἀκολουθεῖν*, and *λαμβάνειν* (*ὡς αὐτόν*).

τὴν ἀτέλειαν] the immunity clearly refers to the Athenian merchants' exemption from export duty at Bosporus and probably also to a corresponding exemption from import duty at the Peiraeus (see *Introd.* § 3, p. xvii.).

Grote observes, of the remission granted by Leucon, that 'such a premium must have thrown nearly the whole exporting trade into the hands of Athenian merchants' (II xcviii 657 ed. 1862).

§ 32. **πράττεται...τριακοστήν**] 'exacts a duty of 3⅓ per cent.'.

αἱ...μυριάδες] sc. *μεδίμνων*. The *medimnus* was equivalent to about a bushel and a half, or six Roman *modii*. It was divided into six *ἑκτεῖς*. The number of litres in the Solonian *μέδιμνος* is reckoned at 52½ by Hultsch in his *Métrologie*, and at 51·84 by Nissen in *Handbuch d. kl. Alterthumswissenschaft*, i 673.

ἐκ—ἀπογραφῆς] 'the entry kept by the *corn-inspectors*'. Harpocration, *σιτοφύλακες· Δείναρχος ἐν τῇ κατὰ Καλλισθένους εἰσαγγελίᾳ. ἀρχή τις ἦν Ἀθήνησιν ἥτις ἐπεμελεῖτο ὅπως ὁ σῖτος δικαίως πραθήσεται καὶ τὰ ἀλφιτα καὶ οἱ ἄρτοι. ἦσαν δὲ τὸν ἀριθμὸν ι', ε' μὲν ἐν ἄστει, ε' δ' ἐν Πειραιεῖ, ὡς Ἀριστοτέλης ἐν Ἀθηναίων πολιτείᾳ* (so Dindorf: Valesius, however, followed by Boeckh, makes them 15 in number, 10 in the city and 5 in the Peiraeus; but it is stated by Fränkel, note 91 to Boeckh, ed. 3, that the oldest MS of Harpocration has *ἦσαν δὲ τὸν ἀριθμὸν ιε' μὲν εἰς Πειραιᾶ, θ' δὲ εἰς ἄστυ*, which is easily corrected into the

μὲν τὰς τριάκοντα μυριάδας μυρίους δίδωσι μεδίμνους ἡμῖν, παρὰ
33 δὲ τὰς δέκα[b] ὡσπερανεὶ τρισχιλίους. τοσούτου τοίνυν δεῖ ταύτην
ἀποστερῆσαι τὴν δωρειὰν τὴν πόλιν, ὥστε προσκατασκευάσας ἐμ-
πόριον Θευδοσίαν[c], ὃ φασιν οἱ πλέοντες οὐδ' ὁτιοῦν χεῖρον εἶναι τοῦ
Βοσπόρου, κἀνταῦθ' ἔδωκε τὴν ἀτέλειαν ἡμῖν. καὶ τὰ μὲν ἄλλα

[b] παρὰ δὲ τὰς δέκα vulg. et Minucianus ix 606 Walz : παρὰ τὰς δέκα δ' Bl. παρὰ τὰς δέκα S, δὲ post παρὰ manu antiqua addito. [c] Θευδασίαν S L.

text as printed by Dindorf). Lysias, Or. 22, κατὰ τῶν σιτοπωλῶν, 16 ἐπὶ μὲν τοῖς ἄλλοις ὠνίοις ἅπασι τοὺς ἀγορανόμους φύλακας κατεστήσατε, ἐπὶ δὲ ταύτῃ μόνῃ τῇ τέχνῃ χωρὶς σιτοφύλακας ἀπεκληροῦτε.

παρὰ—μυριάδας] 'on' or 'for', the 300,000 medimni. παρὰ implies proportion as in *Androt.* 44 παρὰ τὰς εἰσφορὰς τὰς ἀπὸ Ναυσινίκου, παρ' ἴσως τάλαντα τριακόσια ἢ μικρῷ πλείω, ἐλλείμματα τέτταρα καὶ δέκ' ἐστὶ τάλαντα.

The orator breaks up the whole sum of 400,000 medimni into two parts to enable his audience to follow his calculation more readily, a tax of one thirtieth on 300,000 gives exactly 10,000; and, on the remaining 100,000, about 3,000, or more precisely 3,333⅓.

The two parts of the whole number are introduced by the definite article, as in Thuc. i 40 κρατοῦντες...τῶν δύο μερῶν πρὸς τὸ τρίτον ἐπολέμουν, and *de Cor.* 238 τριακοσίων οὐσῶν τῶν πασῶν, τὰς διακοσίας ἡ πόλις παρέσχετο. 'Where parts of a whole are stated in numbers, the article is sometimes prefixed to the numeral (to denote the definiteness of the relation)' Madvig, *G. S.* § 11 *r* 6, and Kühner, ii 551.

§ 33. **τοσούτου κ.τ.λ.**] 'so far is he from depriving': τοσούτου δεῖ, ὥστε, is found in *F. L.* 48, 230; Lysias i § 45.

ταύτην] the separation of ταύτην from τὴν δωρειὰν prevents a *hiatus* between δεῖ and ἀποστερῆσαι.

Θευδοσίαν] An ancient Greek city, a colony from Miletus. Arrian, *Peripl. maris Euxini*, p. 131, αὕτη πάλαι ἦν Ἑλληνὶς πόλις Ἰωνική, Μιλησίων ἄποικος. Strabo p. 309 D μετὰ δὲ τὴν ὀρεινὴν τὴν λεχθεῖσαν ἡ Θεοδοσία κεῖται πόλις, πεδίον εὔγεων ἔχουσα καὶ λιμένα ναυσὶ καὶ ἑκατὸν ἐπιτήδειον· οὗτος δὲ ὅρος ἦν πρότερον τῆς τῶν Βοσποριανῶν καὶ Ταύρων γῆς...p. 311 quoted on p. 34. It was at the siege of Theudosia that Satyrus, the father of Leucon, was slain. Harpocration s. v. Θευδοσίαν : Δημοσθένης ἐν τῷ περὶ τῶν ἀτελειῶν. ἔστι δὲ χωρίον κείμενον ἐγγὺς Σκυθῶν, ὃ Σάτυρος πολιορκῶν ἐτελεύτησεν. Where the father had failed, the son was successful, and the present passage shews that Leucon was the first prince of Bosporus who obtained possession of Theudosia and thus secured for himself the advantages of the emporium which had doubtless already existed there since the days of its colonisation by Miletus. It is even implied by the scholiast that Leucon changed the name of the place, τὸ μὲν ὄνομα τῷ ἐμπορίῳ ἢ ἀπὸ τῆς ἀδελφῆς ἢ ἀπὸ τῆς γαμετῆς· διαφωνεῖται γάρ. If so, we know nothing of its former name, nor do we know anything about either the sister or the wife of Leucon. It can only be conjectured that the Milesian colony was attacked by Satyrus, and afterwards taken by Leucon, for affording a retreat to exiles from their own dominion : ἐν ταύτῃ τῇ Θευδοσίᾳ λέγεταί ποτε καὶ φυγάδας ἐκ τοῦ Βοσπόρου οἰκῆσαι (*Anon. periplus ponti Euxini* quoted by Boeckh, CIG ii p. 97). Although the word διαφωνεῖται implies that the scholiast had access to authorities which are lost to ourselves, it is difficult to see any sufficient reason for the name of the place being changed by Leucon, and Θευδοσία may well have been the original name of the Milesian colony. θεύμορος and θεύδοτος and the like are in themselves Doric forms (Greg. Cor. p. 358 ed. Lips.), but, as they were suitable to the heroic metre they came into use among the Ionic poets, and Θευδοσία would thus be the natural form of the name if it were given by colonists from the Ionian city of Miletus. The Ionic form, with the Ionic termination, Θευδοσίης, is found in CIG ii 2117, 2118, 2119 (quoted on p. 32–33). It long remained the western limit of the possessions of the princes of Bosporus. But, owing to its not having been part of their original dominion, Paerisades the son of Leucon is described as ἄρχων Βοσπόρου καὶ Θευδοσίης.

Its modern name is Kaffa. When Heber visited the place he failed to find, in several days' search, any trace of the ancient Theudosia. He also observes

σιωπῶ, πόλλ' ἂν ἔχων εἰπεῖν, ὅσ' εὐεργέτηκεν[d] *ὑμᾶς οὗτος ἀνὴρ καὐτὸς καὶ οἱ πρόγονοι· ἀλλὰ πρωπέρυσιν*[e] *σιτοδείας παρὰ πᾶσιν ἀνθρώποις γενομένης, οὐ μόνον ὑμῖν ἱκανὸν σῖτον ἀπέστειλ', ἀλλὰ*

[d] εὐεργ. (Z B V Wr Bl): εὐηργ. (D W). εὐέργ. F X. Cf. § 71. [e] πρωπέρυσι forma Attica (D): -ν Bl. προπέρυσι codices.

that 'corn is very dear, and comes chiefly from the Don' (Clarke's *Travels*, ii 130 f., ed. 1817). Clarke himself (p. 150 f.) regards *Stara Crim* as the site of Theudosia.

οἱ πλέοντες] 'seamen', i.e. 'traders' who go on voyages to the Euxine. 34 § 30 *εἰ τοῦτ' ἔπραξας, οὐδ' ἂν εἷς σοῦ μᾶλλον τῶν πλεόντων ἐθαυμάζετο.* Plato, *Gorg.* 467 D *οἱ πλεόντές τε καὶ ἄλλον χρηματισμὸν χρηματιζόμενοι.*

Βοσπόρου] here the capital of the region of the same name. The distinctive name of the capital was Panticapaeum. Pliny, *N. H.* iv 78 Panticapaeum quod aliqui Bosporum vocant, and 87 (oppidum) longe validissimum in ipso Bospori introitu Panticapaeum Milesiorum. *Anon. periplus ponti*, p. 7, *ἀπὸ Βοσπόρου ἤτοι Παντικαπαίου.* It was situated on the western shore of the strait where the breadth of the channel was about eight miles. It is thus described by Strabo, p. 309 D, *ἡ ἐξῆς δ' ἐστὶν εὔγεως χώρα* (from Theudosia) *μέχρι Παντικαπαίου, τῆς μητροπόλεως τῶν Βοσποριανῶν ἱδρυμένης ἐπὶ τῷ στόματι τῆς Μαιώτιδος. ...τὸ δὲ Παντικάπαιον λόφος ἐστὶ πάντη περιοικούμενος ἐν κύκλῳ σταδίων εἴκοσι· πρὸς ἕω δ' ἔχει λιμένα καὶ νεώρια ὅσον τριάκοντα νεῶν, ἔχει δὲ καὶ ἀκρόπολιν· κτίσμα δ' ἐστὶ Μιλησίων.*

The gold coins of Panticapaeum have on the obverse the head of Pan in allusion to the first syllable of the name of the place which is probably not Greek but Scythian, and on the reverse the letters ΠΑΝ with a griffin holding in his mouth a spear, and having a stalk of corn beneath him (British Museum, *Coins of the Ancients*, iii B 1): see illustration on the title-page. The corn-trade of this region is also illustrated by a dedication to Demeter *Θεσμοφόρος* in the time of Spartocus IV, found at Panticapaeum (CIG ii 2106), and also by another inscription found at the same place: *Ἀριστονίκη, Δήμητρος ἱερή, Ξενοκρίτου θυγάτηρ, ὑπὲρ θυγατρὸς τῆς ἑαυτῆς Δημητρίης ἀνέθηκε Δήμητρι* (ib. 2108). In the Fitzwilliam Museum at Cambridge there are two ancient bas-reliefs of Ceres which were found in the ruins of Phanagoria, on the Cimmerian Bosporus (Clarke's *Ancient Marbles*, p. 4). On an *amphora* found in a tomb near Kertch we have 'Triptolemos the mystic inventor of the plough, setting forth, under the auspices of Demeter, to till the soil of Attica —a legend peculiarly congenial to the corn-bearing region of the Bosporos' (Newton's *Essays*, 381 f.).

Bosporus corresponds to the modern Kertch, where a few ruins remain (Boeckh CIG ii p. 98). 'The natives of the Crimea still call the town of Kertchy *Vospor*, and the straits *Vospor*, although they write the word *Bospor*' (Clarke's *Travels*, ii 100, ed. 1817).

πρόγονοι] Isocr. *Trapez.* quoted on § 31.

πρωπέρυσιν] 'two years ago', B.C. 357, the first year of the Social War.

πᾶσιν ἀνθρώποις, an exaggerated expression, meaning simply 'all the world' so far as immediately connected with the Greeks. *Chers.* 5, 42; *de Cor.* 72; 51 § 13; Lysias 12 § 60. Similarly *de Cor.* 48 *πᾶσα ἡ οἰκουμένη.*

σῖτον ἀπέστειλεν] With this consignment of grain may probably be identified the consignment of 2,100,000 medimni mentioned by Strabo, p. 311, *Λεύκωνά φασιν ἐκ τῆς Θεοδοσίας Ἀθηναίοις πέμψαι μυριάδας μεδίμνων διακοσίας καὶ δέκα.* 'It is conceivable', says Boeckh, 'that this amount may have been sent in one year. For since Attica, according to our supposition, needed annually 3,400,000 medimni, of which in general it could itself produce 2,400,000, only about the half of that amount might probably in an unfruitful season have been produced in it, and since the other grain-producing countries, on account of the general scarcity, might have furnished none, Leucon might almost alone have supplied the deficiency' (*P. E.*, I xv, p. 123 of Lamb's trans.).—At a later date, B.C. 286–5, one of Leucon's descendants, Spartocus IV, presented Athens with 11,500 medimni of grain (CIA ii 311, Hicks, *Manual*, no. 159, l. 23).

τοσοῦτον ὥστε — προσπεριγενέσθαι] The quantity of corn sent by Leucon was not only sufficient to supply the wants of

τοσοῦτον[f], ὥστε πεντεκαίδεκ' ἀργυρίου τάλαντ', ἃ Καλλισθενης
34 διῴκησεν, προσπεριγενέσθαι. τί οὖν οἴεσθ', ὦ ἄνδρες Ἀθηναῖοι,
τοῦτον τὸν τοιοῦτον περὶ ὑμᾶς γεγενημένον, ἐὰν ἀκούσῃ νόμῳ τὴν
ἀτέλειαν ὑμᾶς ἀφῃρημένους αὐτόν, καὶ μηδ' ἂν μεταδόξῃ ποτὲ
ψηφισαμένους[ff] ἐξεῖναι δοῦναι; ἆρ' ἀγνοεῖθ' ὅτι αὐτὸς[g] νόμος οὗτος
ἐκεῖνόν τ' ἀφαιρήσεται τὴν ἀτέλειαν, κύριος ἂν γένηται, καὶ ὑμῶν
35 τοὺς παρ' ἐκείνου σιτηγοῦντας; οὐ γὰρ δήπου τοῦτό γ' ὑπείληφεν
οὐδείς, ὡς ἐκεῖνος ὑπομενεῖ, ἑαυτῷ μὲν ἀκύρους εἶναι τὰς παρ' ὑμῶν

[f] τοσοῦτον codices: τοσούτου e coniectura H. et F. A. Wolf (B solus). [ff] -οις Madvig *Adv. Crit.* iii 37. [g] αὐτὸς Bl, αὖτὸς V; ὁ αὐτὸς ceteri. [h] παρ' ἑαυτῷ

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the Athenians themselves, but was so large that there was enough to spare for sale to other states. The profit obtained from that sale amounted to as much as 15 talents. This gives us a proper antithesis between *ἱκανόν* and *τοσοῦτον*.

The alteration *τοσούτου* implies that Leucon supplied the corn 'at so low a price' that the state made a large profit by selling it to its own citizens. But such a step would have been so unpopular that it is improbable that it was taken. Besides (as observed by G. H. Schaefer and Benseler), if we accept *τοσούτου*, the sense would lead us to expect *περιγενέσθαι*, not *προσπεριγενέσθαι*. The latter is strictly consistent with *τοσοῦτον*, not only was there enough and to spare for the citizens, but there was also an *additional* surplus in the form of profit on the sale of the remainder. (See esp. Fränkel's note to Boeckh's *P. E.* I xv, p. 111[3].)

Καλλισθένης] who had the administration of the surplus, probably acted as *σιτώνης*, or special commissioner for the importation of corn (*de Cor.* 248 *αἱρούμενος σιτώνην ἐκ πάντων ἐμὲ ἐχειροτόνησεν ὁ δῆμος*).

There was a speech of Deinarchus, *κατὰ Καλλισθένους εἰσαγγελία*, of which we have nothing but a dozen separate words, nearly all of which are connected with the corn-trade (e.g. *ἡμίεκτον καὶ ἡμιμέδιμνον*, *μέδιμνος*, *μετρονόμοι*, and *σιτοφύλακες*). But the speech can hardly refer to the administration mentioned in the text; for, according to Dionysius, it was not until 336 B.C., nearly twenty years after this, that Deinarchus began his career as a writer of speeches. We must either suppose that the same person acted as *σιτώνης* on more than one occasion, or that another person of the same name is meant. The name was not uncommon about this time (Sauppe, *Or. Att.* ii 333).

§ 34. **τί οἴεσθε...τοῦτον**] 'what do you expect of him'. *Meid.* 174 *ἱππαρχῶν τοίνυν, τί οἴεσθε τἄλλα; ἀλλ' ἵππον οὐκ ἐτόλμησε πρίασθαι.* Lycurgus *Leocr.* 119 *τί δοκοῦσιν ὑμῖν, ὦ ἄνδρες; ἆρά γε ὁμοίως ὑμῖν περὶ τῶν ἀδικούντων γιγνώσκειν.* Xen. *An.* V 7 § 26 *τούτους τί δοκεῖτε; ἠδίκουν μὲν οὐδέν, ἔδεισαν δέ* (see Rehdantz on the last two passages).

ἀφῃρημένους, in middle sense.

καὶ μηδ' ἂν μεταδόξῃ—δοῦναι] 'and that you voted that it should not be lawful to grant it, not even if you ever changed your minds'=*καὶ ψηφισαμένους μὴ ἐξεῖναι δοῦναι, μηδ' ἂν μεταδόξῃ ποτέ* (Reiske).

κύριος ἂν γένηται] 'if it is finally ratified'. The law had already been sanctioned by the people, but in consequence of the proceedings instituted against it in the present trial, a fresh ratification would be necessary. The final ratification of the law will, by depriving Leucon of his privileges, lead that prince to revoke the privileges he has conferred on those who import corn from his dominion.—In translation, it is convenient to take this clause before *ἐκεῖνόν τ'*.

§ 35. **οὐ γὰρ δήπου τοῦτό γ' ὑπείληφεν οὐδείς, ὡς...μὲν...δὲ**] For this form of introduction to a sentence in which *μὲν* and *δὲ* are coordinated with one another, cf. [Dem.] 29 § 14 *οὐ γὰρ δὴ τοῦτό γ' ἔνεστιν εἰπεῖν, ὡς περὶ μὲν τινῶν ὧν αὐτὸς βούλεται σαφὴς ἡ βάσανος, περὶ δ' αὖ τινῶν οὐ σαφής.* 39 § 6 *ἐγὼ γὰρ οὐχ οὕτω δήπου σκαιός εἰμι ἄνθρωπος οὐδ' ἀλόγιστος, ὥστε...μὲν...δὲ...* (Gebauer, p. 91).

τὰς παρ' ὑμῶν...τὰς παρ' ἑαυτῷ] The gen. after *παρὰ* in the first clause is due to *δωρειάς*, =*τὰς δωρειὰς τὰς παρ' ὑμῶν δεδομένας*. The dative, in the second, is due to *μένειν*. The second clause, as Weil points out, is equivalent to *μένειν παρ' ἑαυτῷ τὰς παρ' ἑαυτοῦ τιμάς*. We have an exact parallel in 71 *αἱ μὲν παρὰ*

δωρειάς, ὑμῖν δὲ μένειν τὰς παρ' ἑαυτῷ[h]. οὐκοῦν πρὸς πολλοῖς οἷς βλάψειν ὑμᾶς ὁ νόμος[i] φαίνεται, καὶ προσαφαιρεῖταί τι τῶν
468 ὑπαρχόντων ἤδη. εἶθ' ὑμεῖς ἔτι σκοπεῖτ' εἰ χρὴ τοῦτον ἐξαλεῖψαι, καὶ οὐ πάλαι βεβούλευσθε; ἀνάγνωθι λαβὼν αὐτοῖς τὰ ψηφίσματα[j] τὰ περὶ τοῦ Λεύκωνος.

ΨΗΦΙΣΜΑΤΑ.

Ὡς μὲν εἰκότως καὶ δικαίως τετύχηκε τῆς ἀτελείας παρ' ὑμῶν 36
ὁ Λεύκων, ἀκηκόατ' ἐκ τῶν ψηφισμάτων, ὦ ἄνδρες δικασταί. τούτων δ' ἁπάντων στήλας ἀντιγράφους ἐστήσαθ' ὑμεῖς κἀκεῖνος,

ου
S L O Y; cf. § 71: παρ' ἑαυτοῦ (B D): παρ' ἑαυτῳ F.

[i] οἷς βλάψειν ὑμᾶς ὁ νόμος A (Bl): οἷς ὁ νόμος βλάψειν ὑμᾶς D V W Wr; οἷς ἂν ὁ νόμος βλάψειν ὑμᾶς S (Z B). βλάψειν ἂν ὑμᾶς ὁ νόμος Bekkeri Anecdota p. 127, 2 Μέλλοντι ὁ μὲν τῶν γραμματικῶν κανὼν οὐκ ἐπιτρέπει (scil. τὸν σύνδεσμον ἂν), παρὰ τοῖς ἀρχαίοις δὲ οὐκ ὀλίγα παραδείγματα εὑρίσκεται. Δημοσθένης πέμπτῳ Φιλιππικῶν (Pac. § 14, ubi πολεμῆσαι pro πολεμήσειν legitur). καὶ ἐν τῷ πρὸς Λεπτίνην: οὐκοῦν πρὸς πολλοῖς οἷς βλάψειν ἂν ὑμᾶς ὁ νόμος φαίνεται (Voemel). ἂν delendum iussit Cobet, Var. Lect. 267.

[j] ψηφίσματ' αὐτὰ F (Bl coll. §§ 27, 44, 70, 92, 96): αὐτὰ om. S L vulg.

τοῖς ἄλλοις δωρειαὶ βέβαιοι μενοῦσιν αὐτῷ, τῆς δὲ παρ' ὑμῶν μόνης τοῦτ' ἀφαιρεθήσεται.

εἶθ' ὑμεῖς ἔτι σκοπεῖτε] *Chers.* 20 εἶτ' ἔτι ζητεῖτε, πόθεν τὰ τῆς πόλεως ἀπόλωλεν ἅπαντα; inf. 54.

αὐτοῖς] τοῖς δικασταῖς, inf. 54, 153.

τὰ ψηφίσματα] None of the Athenian decrees in favour of Leucon are preserved; but reference is made to their purport in the decrees in favour of his successors (Hicks, no. 111 and 159, already quoted). The only document in honour of Leucon himself, which has at present been discovered, is a fragment of a finely executed inscription found at Kertch, where the Arcadians vote honours to him, doubtless for favours in connexion with supplies of corn: ἔδοξε τοῖς Ἀρκάσιν, Λεύκωνα [τὸν Σατ]ύρου Παντικαπαῖταν [στεφανῶσαι? κ.τ.λ.] Hicks, no. 110.

§ 36. **τούτων– ἀντιγράφους]** 'slabs of stone inscribed with copies of all these decrees'. ἀντίγραφος, 'transcribed in duplicate from', 'copied as a counterpart of', 45 § 10 εἶναι δ' ἃς αὐτοὶ μεμαρτυρήκασι διαθήκας, ἀντιγράφους ἐκείνων. The adj. is rarely used, as compared with the subst. The latter is found in 128 ἀκούετε τῶν ἀντιγράφων τῆς στήλης.

στήλας] The translation 'pillar' is inadequate, if not misleading; στήλη and κίων are expressly contrasted in Andoc. *de myst.* 38 μεταξὺ τοῦ κίονος καὶ τῆς στήλης ἐφ' ᾗ ὁ στρατηγός ἐστιν ὁ χαλκοῦς. στήλη, from ΣΤΑ, the root of ἵ-στη-μι, is 'a slab of stone, set upright in the ground'. When it means a 'gravestone', we must understand it of a slab of stone which is not laid flat, but stands upright. In Newton's *Essays*, 200, we read of the 'long slender shaft' of the Greek sepulchral *stele*. Its use in the present passage comes under the heading well defined in L and S as '*a block or slab set up in a public place, a monument*, inscribed with records of victories, dedications, votes of thanks, treaties, decrees, and other documents'. Dem. 9 § 41 γράμματα τῶν προγόνων τῶν ὑμετέρων, ἃ ἐκεῖνοι κατέθεντο εἰς στήλην χαλκῆν γράψαντες εἰς ἀκρόπολιν, 16 § 27 τὰς στήλας καθελεῖν...τὰς πρὸς Θηβαίους, 19 § 271 ΓΡΑΜΜΑΤΑ ΕΚ ΣΤΗΛΗΣ, and 272 τὰ γράμματ' ἔστηκεν, 21 § 120 εἰ προσέγραψέ τις ἐν τῇ στήλῃ (in honour of Harmodius and Aristogeiton), 59 § 105 τοὺς δοκιμασθέντας (τῶν Πλαταιέων) ἀναγραφῆναι ἐν στήλῃ λιθίνῃ καὶ στῆσαι ἐν ἀκροπόλει πρὸς τῇ θεῷ, and 76 τοῦτον τὸν νόμον γράψαντες ἐν στήλῃ λιθίνῃ ἔστησαν ἐν τῷ ἱερῷ τοῦ Διονύσου παρὰ τὸν βωμὸν ἐν Λίμναις. καὶ αὕτη ἡ στήλη ἔτι καὶ νῦν ἕστηκεν, ἀμυδροῖς γράμμασιν Ἀττικοῖς δηλοῦσα τὰ γεγραμμένα. Aeschin. 3 § 70 εἰς τὴν αὐτὴν στήλην ἀναγεγράφθαι μετ' Ἀθηναίων. Andoc. *Myst.* 1 § 51 ἀναγραφέντας ἐν στήλαις ὡς ὄντας ἁλιτηρίους τῶν θεῶν, 103 καὶ στήλας ἀνελέτε καὶ νόμους ἀκύρους ἐποιήσατε καὶ ψηφίσματα ἐξηλείψατε, 3 § 22 τὴν στήλην εὑρόμενοι παρ' αὐτῶν στῆσαι, 12 σκέψασθε δὲ ἐξ αὐτῶν τῶν γραμμάτων, ἃ τε ἡμῖν ἐν τῇ

τὴν μὲν ἐν Βοσπόρῳ, τὴν δ' ἐν Πειραιεῖ, τὴν δ' ἐφ' Ἱερῷ. σκοπεῖτε

στήλῃ γέγραπται, ἐφ' οἷς τε νῦν ἔξεστι τὴν εἰρήνην ποιεῖσθαι, 34 *ἐφ' οἷς ὅρκοι τε ὀμοσθήσονται στῆλαί τε σταθήσονται γεγραμμέναι.* Lysias 1 § 30 *τὸν νόμον τὸν ἐκ τῆς στήλης τῆς ἐξ Ἀρείου πάγου,* 30 § 17 *θύειν τὰς θυσίας τὰς ἐκ τῶν κύρβεων καὶ τῶν στηλῶν κατὰ τὰς συγγραφάς,* 21 *κατὰ τὰς στήλας ἃς οὗτος ἀνέγραψε.* Lycurgus 117 of Hipparchus, son of Timarchus, *τὴν εἰκόνα αὐτοῦ ἐξ ἀκροπόλεως καθελόντες καὶ συγχωνεύσαντες καὶ ποιήσαντες στήλην ἐψηφίσαντο εἰς ταύτην ἀναγράφειν τοὺς ἀλιτηρίους καὶ τοὺς προδότας* (cf. 118). Deinarchus 2 § 24 *περὶ τούτων ψηφισάμενοι στήλην εἰς ἀκρόπολιν ἀνήνεγκαν.* Cf. *στηλίτης* of one whose name is inscribed on a *στήλη* as a mark of infamy, Dem. 9 § 45. Cf. Pollux 10 § 97 *ἐν ταῖς Ἀττικαῖς στήλαις, αἱ κεῖνται ἐν Ἐλευσῖνι, τὰ τῶν ἀσεβησάντων περὶ τὼ θεὼ δημοσίᾳ πραθέντων ἀναγέγραπται.*

In the decree in honour of the sons of Leucon, no. 111 Hicks, l. 44, we read: *ἀναγ[ρ]άψαι δὲ τὸ ψήφισμα τόδε τὸν γραμματέα τῆς βουλῆς ἐν στήλῃ λιθίνει καὶ στῆσαι πλησίον τῆς Σατύρου καὶ Λεύκωνος, ἐς δὲ τὴν ἀν[α]γραφὴν δοῦναι τὸν ταμίαν τοῦ δήμου τριά[κ]οντα δραχμάς.* Similarly in the decree in honour of his descendant, Spartocus IV, no. 159 l. 52 *τὸν γραμματέα τὸν [κατὰ π]ρυτανείαν ἀναγράψαι τόδε τὸ ψήφισμα [ἐν στ]ήλῃ λιθίνῃ καὶ στῆσαι ἐν ἀκροπόλει.*

τὴν μὲν ἐν Βοσπόρῳ κ.τ.λ.] The original *ψήφισμα* was probably placed on the acropolis; the copies, as we here learn, were set up (1) in Bosporus or Panticapaeum, the capital of Leucon's dominion, (2) in the Peiraeus, (3) at Hierum.

These decrees doubtless belonged to the early years of Leucon's rule. At that time the Athenians exacted dues on articles of merchandise not only in the Peiraeus, but also in the Thracian Bosporus (§ 60); while Leucon exacted similar dues in the Cimmerian Bosporus. The places, where the copies of the decrees were set up, clearly shew that on both sides it was a question of exemption from commercial dues (Weil). The publication of copies of important agreements at several places is illustrated by Thuc. v 18 § 10 *στήλας δὲ στῆσαι Ὀλυμπίασι καὶ Πυθοῖ καὶ Ἰσθμοῖ καὶ ἐν Ἀθήναις ἐν πόλει καὶ ἐν Λακεδαίμονι ἐν Ἀμυκλαίῳ.*

ἐφ' Ἱερῷ] A place so called from the temple of Ζεὺς Οὔριος on the Asiatic shore of the Thracian Bosporus, near the entrance of the straits as one approaches them from the Euxine. *In ponti ore et angustiis* (Cic. *Verr.* II iv 129). One of the copies of the decree was set up at this spot because it was a point which was constantly passed by the ships engaged in commerce between the Euxine and the Aegean. [Dem.] 50 § 17 *πλεῖν ἐφ' Ἱερὸν ἐπὶ τὴν παραπομπὴν τοῦ σίτου,* ib. 18, 58. Harpocr. s.v. *ἐφ' Ἱερόν· Δημοσθένης ἐν τῷ περὶ ἐπιτριηραρχήματος* (*l. c.*). *ἱερόν ἐστι τῶν ιβ' θεῶν ἐν Βοσπόρῳ, ὡς Τιμοσθένης* (Τιμόξενος? Dind.) *ἐν τοῖς περὶ λιμένων.* Menippus in *Marciani periplus*, p. 122 ed. E. Müller, *κατὰ τὸν Θρᾴκιον Βόσπορον καὶ τὸ στόμα τοῦ Εὐξείνου Πόντου ἐν τοῖς δεξιοῖς τῆς Ἀσίας μέρεσιν, ἅπερ ἐστὶ τοῦ Βιθυνῶν ἔθνους, κεῖται χωρίον Ἱερὸν καλούμενον, ἐν ᾧ νεὼς ἐστι Διὸς Οὐρίου προσαγορευόμενος· τοῦτο δὲ τὸ χωρίον ἀφετήριόν ἐστι τῶν εἰς τὸν Πόντον πλεόντων* (*Lacrit.* § 10 *ἐὰν δὲ μετ' Ἀρκτοῦρον ἐκπλεύσωσιν ἐκ τοῦ Πόντου ἐφ' Ἱερόν*). The bridge thrown by Darius over the Thracian Bosporus was, according to the conjecture of Herodotus, between Byzantium and *τοῦ ἐπὶ στόματι ἰροῦ* (iv 87 ult.). Polybius iv 39 § 5 *τὸ καλούμενον Ἱερόν, ἐφ' οὗ τόπου φασὶ κατὰ τὴν ἐκ Κόλχων ἀνακομιδὴν Ἰάσονα θῦσαι πρῶτον τοῖς δώδεκα θεοῖς* (cf. Pindar, *Pyth.* iv 203=361 ff., Apol. Rhod. ii 533). Spon and Wheler discovered on the site of Chalcedon the pedestal of a statue dedicated to *Ζεὺς Οὔριος*. The block of stone on which the dedicatory verses are inscribed is supposed to have been brought as ballast to Chalcedon from the northern entrance of the straits. It is now in the British Museum, CIG ii no. 3797; Kaibel's *Epigrammata*, 779; *οὔριον ἐκ πρύμνης τις ὁδηγητῆρα καλείτω Ζῆνα, κατὰ προτόνων ἱστίον ἐκπετάσας. εἶτ' ἐπὶ Κυανέας δίνας δρόμος, ἔνθα Ποσειδῶν κάμπυλον εἱλίσσει κῦμα παρὰ ψαμάθους, εἴτε κατ' Αἰγαίην πόντου πλάκα νόστον ἐρευνᾷ, νείσθω τῷδε βαλὼν ψαιστὰ παρὰ ξοάνῳ· ὧδε τὸν εὐάντητον ἀεὶ θεὸν Ἀντιπάτρου παῖς στῆσε Φίλων ἀγαθῆς σύμβολον εὐπλοΐης* (Bentley's *Correspondence* ii 698 ed. 1842). The scenery of the neighbourhood is described in Clarke's *Travels*, vol. II chap. xi, and illustrated by a sketch in the quarto edition. In the *Illustrated London News* for 12 Dec. 1863, p. 593, there is a woodcut of what is supposed to be part of the temple, viz. a portal of Parian marble with upright columns 18 feet high and a richly decorated lintel 12 feet 6 inches long and six feet broad,

δὴ πρὸς ὅσης κακίας ὑπερβολὴν ὑμᾶς ὁ νόμος προάγει, ὃς ἀπιστότερον τὸν δῆμον καθίστησ' ἑνὸς ἀνδρός. μὴ γὰρ οἴεσθ' ὑμῖν ἄλλο 37
τι τὰς στήλας ἑστάναι ταύτας, ἢ τούτων πάντων ὧν ἔχετ' ἢ δεδώκατε συνθήκας, αἷς ὁ μὲν Λεύκων ἐμμένων φανεῖται καὶ ποιεῖν ἀεί τι προθυμούμενος ὑμᾶς εὖ, ὑμεῖς δ' ἑστώσας ἀκύρους πεποιηκότες, ὃ πολὺ δεινότερον τοῦ καθελεῖν· αὗται γὰρ οὕτωσὶ τοῖς βουλομένοις κατὰ τῆς πόλεως βλασφημεῖν τεκμήριον ὡς ἀληθῆ λέγουσιν ἑστήξουσιν. φέρ', ἐὰν δὲ δὴ πέμψας ὡς ἡμᾶς ὁ Λεύκων 38
ἐρωτᾷ, τί ἔχοντες ἐγκαλέσαι καὶ τί μεμφόμενοι τὴν ἀτέλειαν αὐτὸν ἀφῄρησθε, τί πρὸς θεῶν ἐροῦμεν ἢ τί γράψει ποθ' ὁ τὸ ψήφισμ' ὑπὲρ ἡμῶν γράφων; ὅτι νὴ Δί' ἦσάν τινες τῶν εὑρημένων[k] ἀνάξιοι. ἐὰν οὖν εἴπῃ πρὸς ταῦτ' ἐκεῖνος "καὶ γὰρ Ἀθηναίων τινές εἰσιν[l] 39

[k] *τινες τῶν εὑρημένων* A F, schol. p. 479 (Bl): *τῶν εὑρημένων τινὲς* (edd. ceteri).
[l] *εἰσὶν* vulg. (B 1824, Z D Bl): om. S Y O P^1, tribus brevibus continuo positis (B V W Wr); post *φαῦλοι* hiatu admisso collocavit L. 'Si delendum *εἰσί*, *ἴσως τινὲς* scribendum erit' Blass.

discovered by Dr Millingen on the site generally known as the Genoese castles. The site is a bold promontory, 'commanding on one side the sequestered bay of Buyuderé and on the other an uninterrupted view of the ever-changing waters of the Black-sea'.

κακίας ὑπερβολήν] 141, *De Cor.* 212 *τοσαύτῃ γ' ὑπερβολῇ συκοφαντίας οὗτος κέχρηται*. *F. L.* 66, *Meid.* 16, 75, 109, 119, 122, *Androt.* 52 = *Timocr.* 164, *Aristocr.* 160, 201; 27 § 38; 40 § 58 *εἰς τοσαύτην ὑπερβολὴν τόλμης ἦκουσιν*. Aeschin. 2 § 113 *κολακείας αἰσχρᾶς ὑπερβολήν*. Isaeus 6 § 45 *πρὸς ὑπερβολὴν ἀναισχυντίας*. Andoc. 3 § 33 *τοσαύτην ὑπερβολὴν τῆς ἐπιθυμίας ἔχουσιν*, 4 § 22 *τηλικαύτας ποιεῖται τῶν ἁμαρτημάτων ὑπερβολάς*. Lysias 14 § 38 *ὑπερβολὴν ποιησάμενος τῆς πρότερον πονηρίας*.

ἀπιστότερον] not 'more faithless', as though Leucon were unfaithful; but 'less faithful', 'less true to its promises'. Similarly *κάκιον* in Eur. *Bacch.* 483, and Plat. *Menex.* 236 A.

§ 37. **ἄλλο τι...ἑστάναι...ἢ...συνθήκας**] 'You must not suppose that these slabs of stone have been set up for yourselves *to be* (or *as*) anything else than agreements touching all these things that you either enjoy (yourselves) or have granted (to others)'. Cf. *τεκμήριον...ἑστήξουσιν* and § 64 *ἵν'* (*αἱ στῆλαι*) *παραδείγμαθ' ἑστῶσι*. Kühner, ii 243, 5.

φανεῖται] c. part. '*Men will see that* Leucon is abiding by these agreements'. Kühner, ii 631, 13.

εὖ] emphatically placed at the end of the clause instead of being weakly prefixed to *ποιεῖν* (where it would have caused a *hiatus* after *καί*). *F. L.* 138 *οὐδὲ γὰρ τὴν τῶν Θηβαίων πόλιν εἵλετο δημοσίᾳ ποιεῖν ὁ Φίλιππος εὖ*.

πεποιηκότες] sc. *φανεῖσθε*.

καθελεῖν] The overturning of the public record of the agreement was equivalent to an open rupture between the contracting parties. Atrocious as this might be, it is far more so to give public proof of having made the recorded agreement null and void while it was still standing. The former course was, at any rate, the more straightforward of the two. 16 *Megal.* 27 *δεῖ τὰς στήλας καθελεῖν αὐτοὺς τὰς πρὸς Θηβαίους*. Philochorus, quoted by Dionys. Hal., *ad Ammaeum* i 11 *τὴν μὲν στήλην καθελεῖν τὴν περὶ τῆς πρὸς Φίλιππον εἰρήνης καὶ συμμαχίας σταθεῖσαν*. Westermann refers to Arrian, *Anab.* ii 1 § 4 *καθελεῖν τὰς πρὸς Ἀλέξανδρόν σφισι γενομένας στήλας*, and 2 § 2.

§ 38. **φέρ'**] 26; *Aristocr.* 124, *φέρ', ἐὰν δὲ δή*.

τὸ ψήφισμ', the decree, i.e. the resolution duly moved and carried, stating the terms of your reply. Thus the inscription in honour of the sons of Leucon is a *ψήφισμα*, part of which is a reply to representations on the part of their envoys respecting sums of money due to them from Athens (Hicks, no. 111, l. 53 f.).

νὴ Δί'] 3, ironically introducing what, according to Dem., was the strongest argument on the side of Leptines, § 7.

§ 39. **ἐὰν οὖν εἴπῃ κ.τ.λ.**] An example

"ἴσως φαῦλοι, καὶ οὐ διὰ ταῦτ' ἐγὼ τοὺς χρηστοὺς ἀφειλόμην, ἀλλὰ "τὸν δῆμον νομίζων χρηστὸν πάντας ἔχειν ἐῶ", οὐ δικαιότερ' ἡμῶν ἐρεῖ; ἐμοὶ γοῦν δοκεῖ. παρὰ πᾶσι γὰρ ἀνθρώποις μᾶλλόν ἐστιν 469
ἔθος διὰ τοὺς εὐεργέτας καὶ ἄλλους τινὰς εὖ ποιεῖν τῶν μὴ χρηστῶν, ἢ διὰ τοὺς φαύλους τοὺς ὁμολογουμένως ἀξίους χάριτος
40 τὰ δοθέντ' ἀφαιρεῖσθαι. καὶ μὴν οὐδ' ὅπως οὐκ ἀντιδώσει τῷ Λεύκωνί τις, ἂν βούληται, δύναμαι σκοπούμενος εὑρεῖν. χρήματα μὲν γάρ ἐστιν[m] ἀεὶ παρ' ὑμῖν αὐτοῦ, κατὰ δὲ τὸν[n] νόμον τοῦτον, ἐάν τις ἐπ' αὐτ' ἔλθῃ, ἢ στερήσεταί τούτων ἢ λῃτουργεῖν ἀναγκασθή-

[m] ἔστιν B. [n] κατα τὸν δὲ propter tres breves scripsit Bl. [o] ἐνεχ' WI Bl;

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of the figure called ἠθοποιία or ἑτεροπρόσωπον, for which Westermann refers to *De Cor.* 40, 241; 8 § 34; 23 § 106.

ἴσως, 'I presume'.

οὐ δικαιότερ' ἡμῶν ἐρεῖ;] i.e. will not he say what will be fairer than what *we* say; will not his language be fairer than ours? A simple example of *comparatio compendiaria*, or *comparatio rei cum persona*. 23 § 207 (οἰκίαν Μιλτιάδου) τῶν πολλῶν οὐδὲν σεμνοτέραν. Kühner, ii 847.

§ 40. **οὐδ' ὅπως οὐκ ἀντιδώσει κ.τ.λ.**] So far, Dem. has implicitly admitted the indisputable fact that the prince of Bosporus was not bound to perform λῃτουργίαι at Athens. But his subtle sagacity does not allow any argument to escape him. Since Leucon is a citizen, I see no reason, he adds, why another citizen, nominated to undertake a λῃτουργία, should not summon him to change properties with him, or else to bear the costs of the λῃτουργία himself (Weil).

On **ἀντίδοσις**, see Boeckh, *P. E.* IV xvi, and cf. the speech against Phaenippus.

As Leucon had been presented with the Athenian citizenship, it has been inferred from this passage that any Athenian citizen, who was living abroad but had property at Athens, could be compelled on the strength of that property to bear the expense of a λῃτουργία. The first to draw this inference was Wolf; and similarly Boeckh observes (*P. E.* IV x init.): 'It is hardly necessary to remark that citizens by adoption (δημοποίητοι), like the rich banker Pasion and his son Apollodorus, performed λειτουργίαι and paid taxes and were members of the συμμορίαι, unless, like Leucon, king of Bosporus, they were exempted from the regular λειτουργίαι'. He adds in a note: 'I consider it unquestionable that those who were absent from Attica and who, like Leucon, had received the privileges of citizenship as an honorary distinction alone, did not perform the service of the hierarchy. And I very much doubt whether such persons, even if they possessed capital in Athens, were required to pay the εἰσφορά. With property in *land*, the case was doubtless different'. The passage is also quoted by Thumser, p. 119, in support of Boeckh's suggestion that the Athenian κληροῦχοι were liable to undertake the cost of a trierarchy on the strength of any property which they had left behind them in Attica. But it is justly observed in note 851 to Fränkel's ed. of Boeckh that Dem. is here not describing the actual state of the law, but is drawing a picture of the absurdity to which the law of Leptines must lead them (cf. *Hermes* xviii p. 457 ff.). My own suspicion is that Dem. is merely imagining an extreme case which is never likely to arise. It may even be doubted whether Leucon, as an honorary citizen, would have been liable to a λῃτουργία at all. Probably it was not by virtue of his ἀτέλεια that he was exempt from such λῃτουργία, for the ἀτέλεια in *his* case was possibly simply an exemption from custom-house duties; but by virtue of his being a foreign prince not residing at Athens.

ἐάν τις ἐπ' αὐτ' ἔλθῃ] 'if anyone attempt to touch that property, by challenging the prince either to perform the λῃτουργία or to exchange properties'.

στερήσεται τούτων] The first alternative may be dismissed at once, as it is clear that Leucon, if liable at all, would prefer the second.

σεται. ἔστι δ' οὐ τὸ τῆς δαπάνης μέγιστον ἐκείνῳ, ἀλλ' ὅτι τὴν δωρειὰν ὑμᾶς αὐτὸν ἀφῃρῆσθαι νομεῖ.

Οὐ τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, μὴ Λεύκων ἀδικηθῇ, μόνον δεῖ 41
σκοπεῖν, ᾧ φιλοτιμίας εἵνεχ'[o] ἡ περὶ τῆς δωρειᾶς σπουδὴ γένοιτ' ἄν, οὐ χρείας, ἀλλὰ καὶ εἴ τις ἄλλος εὖ μὲν ἐποίησεν ὑμᾶς εὖ πράττων, εἰς δέον δὲ νῦν γέγον' αὐτῷ τὸ παρ' ὑμῶν λαβεῖν[p] τότε τὴν ἀτέλειαν. τίς οὖν οὗτός ἐστιν; Ἐπικέρδης ὁ Κυρηναῖος, ὅς, εἴπερ τις ἄλλος[q] τῶν εἰληφότων, δικαίως ἠξιώθη ταύτης τῆς τιμῆς, οὐ τῷ μεγάλ' ἢ θαυμάσι' ἡλίκα δοῦναι, ἀλλὰ τῷ παρὰ τοιοῦτον καιρόν, ἐν ᾧ καὶ τῶν εὖ πεπονθότων ἔργον ἦν εὑρεῖν ἐθέλοντά τινα

εἵνεκα (Z B V); *εἵνεκ' κ* pro χ, w; *ἕνεκα* D. [p] *τὸ λαβεῖν παρ' ὑμῶν* (omisso *τότε*) Aristides p. 362 Walz (Bl). [q] *εἴπερ τις καὶ ἄλλος* scripsit Blass, coll. Or. 24 §§ 51, 96; '*wofür D. meist εἴπερ τις ἄλλος sagt*' Rehdantz, *indices*, s. v. *καί*.

The actual carrying out of an exchange of properties was so inconvenient that we find only a few isolated examples of such a challenge being accepted (Meier-Schömann, *Der attische Process*, p. 741 ed. Lipsius).—For the middle sense of *στερήσεται*, cf. *Timocr.* 210 *τῆς φιλοτιμίας ταύτης ἀποστερήσεσθε*, 39 § 11; 40 § 10 (Veitch, *Gk. Vbs.*). *στερηθήσομαι* is only found in late Gk. For many similar verbs, see Kühner, ii 100.

τὸ τῆς δαπάνης *κ.τ.λ.*] 'It is not the question of expense that is for *him* the greatest consideration'.

ἀφῃρῆσθαι] in the middle sense.

§ 41. **φιλοτιμίας—χρείας**] 'whose regard for his privilege would arise from a sense of honour, and not from any need'.

εὖ...ἐποίησεν...εὖ πράττων] an instructive collocation of *εὖ ποιεῖν* 'to benefit' and *εὖ πράττειν* 'to prosper'.

εἰς δέον...γέγονεν] 26, 'has become convenient', *utilis facta sit* (Voemel). For the facts, cf. 44. *Phil.* i 14 *εἰς δέον λέγουσιν*, 'speak seasonably, to the purpose'; *εἰς οὐδὲν δέον ἀναλίσκειν*, 3 § 28; 4 § 40; 13 § 14 (Benseler). Hdt. i 119 *ἡ ἁμαρτάς οἱ ἐς δέον ἐγεγόνεε*, and 186 ult. *τὸ ὀρυχθὲν ἕλος γινόμενον ἐς δέον ἐδόκεε γεγονέναι καὶ τοῖσι πολιήτῃσι γέφυρα ἦν κατεσκευασμένη*.

τὸ—λαβεῖν *κ.τ.λ.*]=*ἡ παρ' ὑμῶν τότε ληφθεῖσ' ἀτέλεια.—τότε=ὅτ' ἔπραττεν εὖ.*

Ἐπικέρδης ὁ Κυρηναῖος] In an unfortunately fragmentary decree of honour found on the Acropolis, we have a name which is restored as [Ἐπικέρ]δης ὁ Κυρηναῖ[ος]. And it is said of him: *καὶ αὐτὸν ἐστεφάνωσεν ὁ δῆμος ἀρετῆς ἕνεκα καὶ εὐνοίας τῆς ἐς τὸν δῆμον*. The date is about Ol. 101 = B.C. 376—373 (CIA ii 85 and *Ἀθήναιον* vi 480, vii 213, quoted in A. Schaefer's *Dem. u. s. Zeit*, i² 402 n). If the restoration of the name is correct, it disposes of the inferior reading *Κερκυραῖος*, which was preferred by Reiske solely on the ground that there was a closer connexion between Athens and Corcyra than between Athens and Cyrene.

Cyrene traced its foundation to the Lacedaemonian colony of Thera, and shewed its good-will to Sparta by supplying Gylippus with two triremes during the Sicilian expedition (Thuc. vii 50 § 2). It is therefore all the more remarkable that a native of that city should have aided the Athenians at the time of their disaster. It was connected, however, with all the Greek world by its exports of silphium, as well as of corn and hides and oil of roses (Theophr. viii 4 § 3, vi 6 § 5; Athen. 27 E, 689 A); and also with Athens in particular, by being on the highway to the oracle of Ammon (Boeckh, *P.E.* vol. ii 132 f²=119 f³).

θαυμάσι' ἡλίκα] for *θαυμάσιόν ἐστιν ἡλίκα* by assimilation of the first adj. to the second. *F. L.* 24 *θαυμάσι' ἡλίκα καὶ συμφέροντα*, and *θαυμαστὸς ὅσος* in Plat. *Rep.* 350 D and *Hipp.* I, 282 C (Kühner, ii 920).

παρὰ τοιοῦτον καιρόν *κ.τ.λ.*] At the time of political and moral decline towards the close of the Peloponnesian War (West.).

καὶ τῶν εὖ πεπονθότων] removed from *τινα* and placed early in the clause for the sake of additional emphasis. **ἔργον ἦν**. 'it was hard work', *hoc opus, hic labor est*. *Timocr.* 51 *ἔστι μὲν ἔργον...εἰ περὶ πάντων τῶν νόμων...ἐροῦμεν*.

42 ὧν εὐεργέτητο[r] μεμνῆσθαι. οὗτος γὰρ ἀνήρ, ὡς τὸ ψήφισμα τοῦτο δηλοῖ τὸ τότ' αὐτῷ γραφέν, τοῖς ἀλοῦσιν τότ' ἐν Σικελίᾳ τῶν πολιτῶν[s] ἐν τοιαύτῃ συμφορᾷ καθεστηκόσιν, ἔδωκε μνᾶς ἑκατὸν καὶ τοῦ μὴ τῷ λιμῷ πάντας αὐτοὺς ἀποθανεῖν αἰτιώτατος γέγονεν[t]. καὶ μετὰ ταῦτα δοθείσης ἀτελείας αὐτῷ διὰ ταῦτα παρ' ὑμῶν, ὁρῶν ἐν τῷ πολέμῳ[u] πρὸ τῶν τριάκοντα μικρὸν σπανίζοντα τὸν δῆμον
43 χρημάτων, τάλαντον ἔδωκεν αὐτὸς ἐπαγγειλάμενος. σκέψασθε δὴ 47(πρὸς Διὸς καὶ θεῶν, ἄνδρες Ἀθηναῖοι, πῶς ἂν ἄνθρωπος μᾶλλον[v] φανερὸς γένοιτ' εὔνους ὢν ὑμῖν, ἢ πῶς ἧττον ἄξιος[w] ἀδικηθῆναι, ἢ πρῶτον μὲν εἰ παρὼν τῷ τῆς πόλεως ἀτυχήματι, μᾶλλον ἕλοιτο τοὺς ἀτυχοῦντας καὶ τὴν παρὰ τούτων χάριν, ἥτις ποτ' ἤμελλεν ἔσεσθαι, ἢ τοὺς ἐν ἐκείνῳ τῷ χρόνῳ κεκρατηκότας καὶ παρ' οἷς ἦν, δεύτερον δ', ἑτέραν χρείαν ἰδών, εἰ φαίνοιτο διδούς, καὶ μὴ πῶς[x] ἰδίᾳ

[r] εὐεργ. Z B V Bl: εὐηργ. D W Wr. [s] τοῖς ἠτυχηκόσιν ἐν Σ. τῶν πολιτῶν Aristides, τοῖς ἐν Σ.—καθεστηκόσιν, Rh. Gr. iv 323 Walz, unde et ἁλοῦσι et τότε (quod modo praecessit) seclusit Blass. [t] γέγονεν Rh. iv 323 (Bl): ἐγένετο codd. [u] πολέμῳ S[1] (τῷ in fine versus omisso), O Y (Z B Wr Bl): π. τῷ L, vulg. (B 1824, D V). πρὸ τῶν τριάκοντα μικρὸν seclusit W. [v] μᾶλλον om. S[1] O Y Q (B V). 'Cf. Aristid. ii 165 Dindf., πῶς ἂν τις μᾶλλον... πειθόμενος φανερὸς ἂν γένοιτο...ἢ πῶς...; ib. 188, πῶς ἂν τις μᾶλλον ἔδειξε...ἢ πῶς...;' Blass. [w] ἄξιος <ὢν> ἀδικηθῆναι, propter quattuor brevium concursum conicit Blass. [x] πως S[1] O Y (πῶς V Bl): ὅπως L, vulgo. Cf. § 4; Or. 8 § 40.

§ 42. **τοῦτο**] The speaker has the document before him.

τοῖς ἁλοῦσιν τότε] *illo tempore, insigni, noto omnibus* (Wolf). B.C. 413, fifty-eight years before.

τοιαύτῃ] *in tanta* et *quam scitis*, ut p. 460, 8 et p. 506, 16 (Wolf). **συμφορᾷ**, Thuc. vii 87 and Plut. *Nicias* 29. **τῷ λιμῷ**, Thuc. l. c. § 2 λιμῷ ἅμα καὶ δίψει ἐπιέζοντο.

μνᾶς] The amount of silver contained in a μνᾶ, or 100 drachmae, would be worth £3. 6*s*. 8*d*., and the amount contained in a τάλαντον, or 6000 drachmae, would be worth £200, if (as is shewn by Prof. W. W. Goodwin in the *Transactions of the American Philological Association*, 1885, xvi p. 117—9) the amount of silver in a drachma were worth 8*d*. (*Select Private Orations*, II p. xviii). But this estimate tells us nothing of the *purchasing power* of the above amounts of money in ancient times.

τῷ...πρὸ τῶν τριάκοντα μικρὸν] That part of the Peloponnesian War which is called ὁ πόλεμος ὁ Δεκελεικὸς (Isocr. 8 § 37; 14 § 31; Dem. 18 § 96; 22 § 15; 57 § 18), from the spring of 413 B.C., when Agis occupied Decelea, to the fall of Athens in the spring of 404.

§ 43. **πῶς ἂν—ἀδικηθῆναι**] 'how a man could more clearly prove his goodwill to yourselves, or how he (could be) less deserving of being wronged'; ἂν γένοιτο is understood from the former clause.

παρὼν...παρ' οἷς ἦν] He was probably at Syracuse for purposes of trade. The very fact that he came from Cyrene, which was well affected to the Lacedaemonians, may have made it easier for him to give effective help to the unfortunate Athenians.

ἥτις—ἔσεσθαι] 'which was destined to come at some future date'.

τοὺς κεκρατηκότας] the Syracusans, allied with the Lacedaemonians.

ἑτέραν χρείαν ἰδών] placed for emphasis before εἰ, which is coupled closely with its verb, as in 25 τὰς ἀτελείας ἐὰν ἀφέλησθε. Westermann points out the similar position of ἐὰν ἠδικημένους ἴδῃ (22), κύριος ἂν γένηται (34), εἰ (46, 79); *Phil.* i § 29 τοῦτ' ἂν γένηται, and 43 ...ἐλπίδας ἂν ἀποστείλητε, *Phil.* iii 44 τῶν Ἀθηναίων κοινῶν εἰ μὴ μεθέξειν ἔμελλεν, *de Pace* 16 εἰς τὴν οἰκείαν εἴ τις ἐμβάλοι, *Aristocr.* 42 ...ἐὰν ἀποκτείνωσί τινες, and 94 ψήφῳ, νῦν ἐὰν ἀποψηφίσησθε. To these may be added *Ol.* 3 § 15 νῦν ἐὰν ὀρθῶς ποιῆτε, inf. 119 ἐὰν μή τις φῇ and 133 λόγῳ δ' ἂν ἀναισχυντῶσιν (more refer-

τὰ ὄντα σώσει προνοούμενος, ἀλλ' ὅπως τῶν ὑμετέρων μηδὲν ἐνδεῶς ἕξει τὸ καθ' αὑτόν. τοῦτον μέντοι τὸν τῷ μὲν ἔργῳ παρὰ 44
τοὺς μεγίστους καιροὺς οὑτωσὶ κοινὰ τὰ ὄντα τῷ δήμῳ κεκτημένον, τῷ δὲ ῥήματι καὶ τῇ τιμῇ τὴν ἀτέλειαν ἔχοντα, οὐχὶ τὴν ἀτέλειαν ἀφαιρήσεσθε (οὐδὲ γὰρ οὔσῃ χρώμενος φαίνεται), ἀλλὰ τὸ πιστεύειν ὑμῖν, οὗ τί γένοιτ' ἂν αἴσχιον; τὸ τοίνυν ψήφισμ' ὑμῖν αὖτ' ἀναγνώσεται τὸ τότε ψηφισθὲν τῷ ἀνδρί. καὶ θεωρεῖτ', ὦ ἄνδρες Ἀθηναῖοι, ὅσα ψηφίσματ' ἄκυρα ποιεῖ ὁ νόμος[y], καὶ ὅσους[z] ἀνθρώπους ἀδικεῖ, καὶ ἐν ὁποίοις καιροῖς χρησίμους ὑμῖν παρασχόντας ἑαυτούς· εὑρήσετε γὰρ τούτους, οὓς ἥκιστα προσῆκ', ἀδικοῦντα. λέγε.

ΨΗΦΙΣΜΑ.

Τὰς μὲν εὐεργεσίας, ἀνθ' ὧν εὔρετο τὴν ἀτέλειαν ὁ Ἐπικέρδης, 45
ἀκηκόατ' ἐκ τῶν ψηφισμάτων, ὦ ἄνδρες δικασταί. σκοπεῖτε δὲ μὴ

[y] ὁ νόμος propter hiatum seclusit Benseler (Bl). [z] malim 'οἵους ἀνθρώπους. Numerus satis indicatur per ὅσα ψηφίσματα'. Dobree ('rectissime', Cobet; Bl).

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ences in Rehdantz, *index* i, s. v. *Stellung*). Similarly *Meid.* 109 ἄνθρωπος εἰ ποιήσας.

τὸ καθ' αὑτόν] 'so far as it lay with himself'; 'so far as *he* was concerned'; 82, *F. L.* 119, 250; 27 § 39; Aeschin. 2 § 101 ὅσα καθ' ὑμᾶς ἐστι. Thuc. ii 11 § 2.

§ 44. **ἔργῳ...ῥήματι**] a variation on the common contrast between ἔργον and λόγος.

παρὰ τοὺς μεγίστους καιρούς] 'at (or, during) the most critical times'.

τῷ ῥήματι καὶ τῇ τιμῇ] i.e. 'only in a verbal and honorary manner', as a merely nominal and titular distinction. In § 41 we have been told that the privilege granted to Epicerdes in his days of prosperity has now become a matter of convenience to him; whereas here we are told that he does not avail himself of his privilege. To reconcile this apparent discrepancy the scholiast on § 41 quotes the suggestion that the sons of Epicerdes may have come to live in Athens, while the father (as he here observes in his note on the next clause) was absent in Cyrene. It seems more likely that the sons (§ 46), whether at Cyrene or (more probably) at Athens, were engaged in trade (possibly with capital supplied by their father) and found it to their advantage to claim ἀτέλεια, possibly an exemption from commercial dues, which was granted to their father. Meanwhile, the father had no occasion to avail himself of it, though it may now be said to be indirectly an advantage to his sons. At the present date he must have been in extreme old age; supposing he was 22 in 413 B.C., he must now have been 80.

τὸ...ψήφισμ'] The fragmentary inscription quoted on § 41 may possibly have been part of the original decree.

θεωρεῖτ'] imperative.

ὅσα ψηφίσματ'...ὅσους ἀνθρώπους] Dem. has mentioned by name Leucon and Epicerdes only; but he has already implied (29 ult.) that the sons of Leucon are also concerned, as also are the sons of Epicerdes (46). The plural ψηφίσματα refers not merely to (at least) one decree in honour of Epicerdes but also to the several decrees in honour of Leucon (35 ult.). This explanation seems simpler than that of G. H. Schaefer who endeavours to justify ψηφίσματα by altering the lemma at the end of this section into ΨΗΦΙCΜΑ (the first decree in recognition of the first gift from Epicerdes) <λέγε καὶ τουτὶ τὸ ψήφισμα. ΨΗΦΙCΜΑ> (the second decree, possibly extending the ἀτέλεια to the sons of Epicerdes). Benseler alters the heading into ΨΗΦΙCΜΑΤΑ because of the subsequent plural, in spite of the preceding singular τὸ ψήφισμα...τὸ τότε ψηφισθέν. Weil suggests that the plural refers either to those who are going to be mentioned at a later point in the speech, or to those who have already been mentioned by the preceding speaker, Phormion (§ 51).

§ 45. **τὰς εὐεργεσίας—τῶν ψηφισμάτων**] this shews that more than one de-

τοῦτ', εἰ μνᾶς ἑκατὸν καὶ πάλιν τάλαντον ἔδωκεν (οὐδὲ γὰρ τοὺς λαβόντας ἔγωγ' ἡγοῦμαι τὸ πλῆθος τῶν χρημάτων θαυμάσαι), ἀλλὰ τὴν προθυμίαν καὶ τὸ αὐτὸν ἐπαγγειλάμενον ποιεῖν καὶ τοὺς καιροὺς ἐν οἷς. πάντες μὲν γάρ εἰσιν ἴσως ἄξιοι χάριν ἀνταπολαμβάνειν οἱ προϋπάρχοντες τῷ[a] ποιεῖν εὖ, μάλιστα δ' οἱ παρὰ τὰς χρείας, ὧν εἷς οὗτος ἀνὴρ ὢν φαίνεται. εἶτ' οὐκ αἰσχυνόμεθ', ὦ ἄνδρες Ἀθηναῖοι, τοὺς τοῦ τοιούτου παῖδας εἰ μηδεμίαν ποιησάμενοι τούτων μηδενὸς μνείαν ἀφῃρημένοι φανούμεθα τὴν δωρειάν, μηδὲν ἔχοντες ἐγκαλέσαι; οὐ γὰρ εἰ ἕτεροι μὲν ἦσαν οἱ τότε σωθέντες ὑπ' αὐτοῦ καὶ δόντες τὴν ἀτέλειαν, ἕτεροι δ' ὑμεῖς[b] οἱ νῦν ἀφαιρούμενοι, ἀπολύει[c] τοῦτο τὴν αἰσχύνην, ἀλλ' αὐτὸ δὴ τοῦτο[d] καὶ τὸ δεινόν ἐστιν. εἰ γὰρ οἱ μὲν εἰδότες καὶ παθόντες ἄξια τούτων ἐνόμιζον εὖ πάσχειν[e], ἡμεῖς δ' οἱ λόγῳ ταῦτ' ἀκούοντες ὡς ἀναξίων

[a] τοῦ Seager et Dobree. [b] ἡμεῖς k (B). [c] λύει scripsit Blass, coll. Aristid. i 583 (infra), Liban. i 383, 5 τὴν αἰσχύνην λύειν, iii 423, 7 ἀλλ' οὐ λύει τοῦτο τὴν σὴν κακίαν. [d] αὐτὸ δὴ τοῦτο MSS: ἐνταῦθα δὴ scripsit Blass, coll. Aristid. ii 596 ἐνταῦθα δὴ καὶ τὸ πάνδεινόν ἐστι, i 779 οὐ γὰρ εἰ...τοῦτο βελτίω...ποιεῖ, ἀλλ' ἐνταῦθα δὴ καὶ τὴν ὑπερβολὴν εὕροι τις ἄν, i 583 εἰ γὰρ ἐνταῦθα τὸ αἰσχρόν ἐστι, τί μᾶλλον...λύεται; Liban. iv 68, 16 ἀλλ' ἐνταῦθα δὴ καὶ τὸ τούτου δεινότερον. [e] εἰ γὰρ οἱ μὲν εἰδότες καὶ ἔργῳ μαθόντες ἀξίους τούτους ἐνόμιζον εὖ πάσχειν Markland. ἐνόμιζον παρασχεῖν coniecit H. Wachendorf, *Rhein. Museum* xxvi 412.

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cree in honour of Epicerdes has really been read.

θαυμάσαι] 'set great store by'.

ἐν οἷς] sc. ἐποίησε ταῦτα. *A friend in need is a friend indeed.*

§ 46. **πάντες...χάριν ἀνταπολαμβάνειν** κ.τ.λ.] For the general sense of the context, cf. Ar. *Rhet.* II 7 § 2 μεγάλη δ' (ἡ χάρις), ἂν ᾖ σφόδρα δεομένῳ, ἢ μεγάλων καὶ χαλεπῶν, ἢ ἐν καιροῖς τοιούτοις, ἢ μόνος ἢ πρῶτος ἢ μάλιστα, and ib. § 3 οἱ ἐν πενίᾳ παριστάμενοι καὶ φυγαῖς, κἂν μικρὰ ὑπηρετήσωσιν, διὰ τὸ μέγεθος τῆς δεήσεως καὶ τὸν καιρὸν κεχαρισμένοι, and § 5 δῆλον ὅτι ἐκ τούτων παρασκευαστέον, τοὺς μὲν δεικνύντας ἢ ὄντας ἢ γεγενημένους ἐν τοιαύτῃ δεήσει καὶ λύπῃ, τοὺς δὲ ὑπηρετηκότας ἐν τοιαύτῃ χρείᾳ τοιοῦτόν τι ἢ ὑπηρετοῦντας. Cic. *de invent.* ii 112.

τῷ ποιεῖν εὖ] The order τῷ εὖ ποιεῖν is avoided, partly to prevent hiatus; but, still more, to secure additional emphasis. Cf. note on § 37 εὖ. The usual construction with προϋπάρχειν is the gen.

παρά] 44 init.

οὐκ αἰσχυνόμεθ' κ.τ.λ.] The construction is οὐκ αἰσχυνόμεθ', εἰ μηδεμίαν ποιησάμενοι τούτων μηδενὸς μνείαν, φανούμεθ' ἀφῃρημένοι τοὺς τοῦ τοιούτου παῖδας τὴν δωρειάν; For the sake of emphasis τοὺς τοῦ τοιούτου παῖδας is placed before εἰ (as in the exx. quoted on § 43), even at the risk of its being supposed that it is the acc. after αἰσχυνόμεθ' (a construction found in Plat. *Symp.* 216 B). The effect of this intentional displacement is to remove the accusative from its governing word ἀφῃρημένοι. The sense is clearly given by Voemel: 'nonne igitur nos pudet...talis viri liberos, quibus nihil obiicere possumus, nulla ullius harum rerum habita ratione, immunitate manifesto spoliare?'

τούτων] either=τῶν Ἐπικέρδους εὐεργεσιῶν (Westermann), or 'any of the above-mentioned circumstances that give a special value to his benefactions' (Weil). The latter view is preferable.

§ 47. **αὐτὸ δὴ τοῦτο**] 'It is in this very point that the atrocity lies'. *Aristocr.* 211 ἀλλ' αὐτοῦ τ' ἔστι τὸ δεινόν, *Aph.* i 38; Plato, *Gorg.* 511 B οὐκοῦν τοῦτο δὴ καὶ τὸ ἀγανακτητόν; these exx. are quoted by Shilleto on *F. L.* 130=120 p. 377 τοῦτο γάρ ἐστι τὸ λαμπρόν, where he draws attention to the article being joined with the *predicate*, and renders the present passage: '*the very quintessence of disgraceful conduct*': as it is subsequently expressed πῶς οὐχ ὑπέρδεινον ποιήσομεν;

τούτων] sc. τῆς ἀτελείας. With ἄξια... εὖ πάσχειν, cf. 119 μεγάλα εὖ πάσχειν, 123 ἄξια τῆς ἀτελείας εὖ πεποιηκέναι (West.).

ἀφαιρησόμεθα, τῶν οὐχ ὑπέρδεινον ποιήσομεν; ὁ αὐτὸς τοίνυν 68
ἐστί μοι λόγος οὗτος[f] καὶ περὶ τῶν τοὺς τετρακοσίους καταλυσάντων, καὶ περὶ τῶν ὅτ' ἔφευγεν ὁ δῆμος χρησίμους αὐτοὺς παρασχόντων· πάντας γὰρ αὐτοὺς ἡγοῦμαι δεινότατ' ἂν ποιεῖν, εἴ τι τῶν τότε ψηφισθέντων αὐτοῖς λυθείη.

[f] οὗτος om. Blass, secutus Libanium iii 28, 2; 356, 26 ὁ αὐτὸς τοίνυν ἐ. μοι λ. καὶ περὶ—.

ὡς ἀναξίων] ὄντων τῶν εὐεργετημάτων (Wolf). **ἀναξίων** is neut. gen. abs. and refers to the benefits already described as having been ἄξια (τῆς ἀτελείας) in the opinion of those who received them. This is in accordance with Dobree's note: 'ὡς ἀναξ. de ellipsi Porson. adv. p. 48. Sept. Theb. 233 Bl. Midian. p. 519, 5. addenda ad Porson. Aristoph. p. (126). Intelligebam sc. ὡς ἀναξίων ὄντων ὧν ἐπάθομεν τηλικαύτης δωρεᾶς'. It is not masc. gen. after ἀφαιρεῖσθαι, for after that verb Dem. prefers using the acc. of the person; and although it might be explained as masc. gen. abs., this would be out of harmony with the previous context; 'quamquam §§ 1, 120 ἀνάξιοι commemorantur, tamen hoc loco, ubi ἄξια opponitur, melius neutrius generis ἀναξίων esse intelligitur' (Voemel). In *Aristocr.* 89 (ὡς γοῦν οὐδενὸς ἀξίων ἰδιόν τι γράφειν ἐπεχείρησε), ἀξίων is the reading of the Paris MS S alone (followed by Baiter and Sauppe), and ἀξίων ὄντων is the text adopted by Weil. In the present passage Weil proposes ἀνάξι' ὄντ', but this accusative, as remarked by Blass (Bursian's *Jahresb.* 1879 i 279), does not suit the construction of the context.

§ 48. **τοὺς τετρακοσίους**] The oligarchical revolutionists that preceded the Thirty and remained in power for four months until June, 411 B.C. (Curtius, iii 457 Ward). Thuc. viii 63—69; Lysias 12 §§ 65—67.

τῶν καταλυσάντων] Among the persons referred to was Thrasybulus of Calydon who hastened the downfall of the 400 by assassinating Phrynichus, one of the leaders of the extreme party among the oligarchs. His confederate in the plot was Apollodorus of Megara (Lysias 13 § 71). For this service the conspirators, who were foreigners belonging to the **περίοικοι** (Thuc. viii 92) in the pay of the 400, were presented with the citizenship (Lys. 13 § 72). In 1842 some fragments of an inscription were found at Athens, between the Propylaea and the statue of Agrippa, which were identified by Bergk as the record of the public proceedings with respect to these assassins (*Zeitschrift f. Alt.-Wiss.* 1847, p. 1009). In the first part of the inscription we have a proposal to honour Thrasybulus with a crown and public proclamation; and in the second, a proposal to grant him the citizenship and other honours, to consider what reward shall be assigned to Apollodorus, and to inscribe the names of several others on a list of benefactors and give them the right of holding property in Athens. From Lysias, *de olea sacra*, Or. 7 § 4, we learn that a farm which was part of the confiscated property of one of the 400, Pisander, was granted by the people to Apollodorus, doubtless for conspiring against Phrynichus. For the inscr. see CIA i 89; Hicks, *Manual*, no. 56; also Lysias, ed. Rauchenstein, i[8] p. 59.

ὅτ' ἔφευγεν ὁ δῆμος] The exiles of the democratical party, driven from Athens by the Thirty in B.C. 404, were not only hospitably received by individual citizens in Chalcis, Megara and Elis, but were also placed under public protection at Argos (Dem. 15 § 22) and at Thebes (Plut. *Lys.* 27). Among those who aided the constitutional party was the wealthy Theban Ismenias. On the same occasion Lysias, who had been driven to Megara by the murder of his brother Polemarchus at the hands of one of the Thirty, sent the exiles 2000 drachmae and 200 shields, levied at his own expense a band of 300 men, and induced his friend Thrasydaeus of Elis to lend them two talents. On the restoration a decree was passed presenting Lysias, who was only an *ἰσοτελής*, with the full privileges of citizenship; but the decree was afterwards rescinded on account of a technical objection (*Mt. x orat.* p. 835 E). See also Lys. 31 § 29 τοὺς μετοίκους ὅτι οὐ κατὰ τὸ προσῆκον ἑαυτοῖς ἐβοήθησαν τῷ δήμῳ.

Possibly Dem. passes over the details respecting these benefactions, because they had already been dwelt upon in the speech of Phormion (51).

49 Εἰ τοίνυν τις ὑμῶν ἐκεῖνο πέπεισται, πολὺ τοῦ δεηθῆναί τινος τοιούτου νῦν ἀπέχειν τὴν πόλιν, ταῦτα μὲν εὐχέσθω τοῖς θεοῖς, κἀγὼ συνεύχομαι, λογιζέσθω δὲ πρῶτον μέν, ὅτι περὶ νόμου μέλλει φέρειν τὴν ψῆφον, ᾧ μὴ λυθέντι δεήσει χρῆσθαι[g], δεύτερον δ' ὅτι βλάπτουσιν οἱ πονηροὶ νόμοι καὶ τὰς ἀσφαλῶς οἰκεῖν οἰομένας πόλεις. οὐ γὰρ ἂν μετέπιπτε τὰ πράγματ' ἐπ' ἀμφότερα, εἰ μὴ τοὺς μὲν ἐν κινδύνῳ καθεστηκότας καὶ πράξεις χρησταὶ καὶ νόμοι καὶ ἄνδρες χρηστοὶ καὶ πάντ' ἐξητασμέν' ἐπὶ τὸ βέλτιον προῆγε,

[g] 'Languida admodum et frigida haec sententia est ac paene inepta, *lege, quae antiquata non sit, uti oportere*, sed periit vocula necessaria sic explenda: *δεήσει χρῆσθαι ἀεί*, etiam ubi nolueris et contra remp. esse intellexeris' Cobet; cuius con-

§ 49. **τινος τοιούτου**] masc.

ταῦτα μὲν εὐχέσθω κ.τ.λ.] The orator gives an admirable turn to the sentence by using these words of good omen instead of the strong expression of disagreement with which we expect him to conclude (Wolf).

νόμου] not a mere *ψήφισμα*, but a law which we must live under if it is not annulled. For *χρῆσθαι*, cf. 91 *τοῖς ὑπάρχουσι νόμοις ἐχρῶντο, καινοὺς δ' οὐκ ἐτίθεσαν*.

βλάπτουσιν] *βλάπτειν* (though not from the same root as *λαμβάνω*) has in old Greek the special meaning of 'impeding', 'checking', 'arresting' (*Iliad* 6, 39; 7, 271; 16, 371; 23, 461, 545, 571). Hence it is combined with *φυγεῖν* in Soph. *El.* 697 *ὅταν δέ τις θεῶν βλάπτῃ, δύναιτ' ἂν οὐδ' ἂν ἰσχύων φυγεῖν*, and *Ajax* 455 *εἰ δέ τις θεῶν βλάπτοι, φύγοι τἂν χὠ κακὸς τὸν κρείσσονα*. Even in prose we have what may fairly be regarded as a reminiscence, possibly a half-unconscious reminiscence, of the older use of the word: as in Thuc. v 103 *ἐλπὶς δὲ κινδύνῳ παραμύθιον οὖσα, τοὺς μὲν ἀπὸ περιουσίας χρωμένους αὐτῇ, κἂν βλάψῃ, οὐ καθεῖλε* (even although she arrest them in their course, she does not lay them low)· *τοῖς δ' ἐς ἅπαν τὸ ὑπάρχον ἀναρριπτοῦσι, δάπανος γὰρ φύσει, ἅμα τε γιγνώσκεται σφαλέντων* (when they have been tripped up and brought to the ground), κ.τ.λ. Similarly in vii 68 *κινδύνων οὗτοι σπανιώτατοι οἳ ἂν ἐλάχιστα ἐκ τοῦ σφαλῆναι βλάπτοντες πλεῖστα διὰ τὸ εὐτυχῆσαι ὠφελῶσιν*. So here, we have *βλάπτουσιν* immediately followed by *ἀσφαλῶς*.

καὶ τὰς—πόλεις] 'even states that deem themselves to be dwelling in unshaken security'. The intr. sense of *οἰκεῖν* is often applied in Plato to the constitutional condition of a state; thus it is found with the adverb *βέλτιον* in *Rep.* 599 D, with *ἄκρως* 543 A, with *πῶς* 547 C, with *τίνα τρόπον* 557 A, 462 D *τοῦ τοιούτου ἐγγύτατα ἡ ἄριστα πολιτευομένη πόλις οἰκεῖ* (cf. 473 A), with *σωφρόνως* 423 A and *Charm.* 162 A, with *ἄριστα Legg.* 702 A.

οὐ γὰρ ἂν μετέπιπτε κ.τ.λ.] A characteristic sentence, remarkable for its highly elaborated structure. "Public affairs would never have been changing in both directions, i.e. 'revolutions would never have happened for better or for worse' (Kennedy), had not those who were in a state of peril been advanced to a better condition by excellent courses of action, by excellent laws and men, and by everything being in perfect order; and had not those (on the contrary), who appeared to be in a position of complete prosperity, been little by little undermined by the neglect of all these things".

ἐπ' ἀμφότερα] referring to constitutional changes for the better (as exemplified in the first of the two succeeding clauses), and for the worse (as exemplified in the second).

πάντ' ἐξητασμέν'] *Symm.* 7 *ἡ δύναμις τῆς πόλεως ἐξητασμένη καὶ παρεσκευασμένη*.—It is characteristic of Greek and Latin to prefer to use a passive participle in agreement with a substantive, instead of using the corresponding noun followed by the genitive, e.g. *πάντων ἐξέτασις*; and similarly below, *πάντα ταῦτ' ἀμελούμενα* for *πάντων τούτων ἀμέλεια*. The corresponding Latin idiom, as in *rex interfectus*, and *ademptus Hector*, is well known (Madvig, *L. G.* § 426 and Nägelsbach, *Stil.* § 30, 2); but (so far as I can find) it is not noticed in Kühner's *Gr.* Westermann refers to Krüger § 50, 11, 3 and 56, 10, 2.

lecture greater blame is due when admirers repudiate us. [2] τοὺς ὑπ' ἐκείνων ἐπαινουμένους ἐπαινεῖν ἀναγκαῖον ἡγοῦμαι. ὧν γὰρ ἀπόντων ἐπαινούμεθα, τούτους παρόντας ἐπαινεῖν ἀναγκαῖον. ἐπειδὴ δὲ πολλὰ τῶν ἐκείνων ἐπαίνων ἐστὶν ἃ καὶ ὑμεῖς ἴστε, μακρὸν ἂν εἴη διεξιέναι τοσαῦτα ἐφ' οἷς ἐκεῖνοι ἐπῃνοῦντο. ἐπὶ δὲ τοῖς ἔργοις τοῖς ἐκείνων ἐπαινουμένοις ἐγὼ μὲν ἡγοῦμαι τοὺς μὲν πολέμους ἐπὶ πλείω χρόνον ἐκείνους ἀναγκασθῆναι ποιήσασθαι ἢ ἡμᾶς, τὰ δὲ χρήματα ἐν τῷ παρόντι μείζω ἔχειν ἢ ἐκείνους, τὴν δὲ γῆν ἐν ᾗ ἐπολεμοῦμεν ἐκείνους μὲν ἐν τῷ πρὸ τοῦ χρόνῳ πλείω κεκτῆσθαι, ἡμᾶς δὲ νῦν ἐπὶ πλείω ἐκείνων ἐκτῆσθαι· καὶ γὰρ ἐπὶ τοῖς ἐκείνων ἐπαινουμένοις ἐγὼ μὲν ἡγοῦμαι τοὺς μὲν πολέμους ἐπὶ πλείω χρόνον ἐκείνους ἀναγκασθῆναι ποιήσασθαι ἢ ἡμᾶς, τὰ δὲ χρήματα ἐν τῷ παρόντι μείζω ἔχειν ἢ ἐκείνους, τὴν δὲ γῆν ἐν ᾗ ἐπολεμοῦμεν ἐκείνους μὲν ἐν τῷ πρὸ τοῦ χρόνῳ πλείω κεκτῆσθαι, ἡμᾶς δὲ νῦν ἐπὶ πλείω ἐκείνων ἐκτῆσθαι.

[3] Οἱ τοίνυν μετὰ τοῦτο ἐλθόντες Ἀθηναῖοι τοὺς ἐνθάδε νεκροὺς ἐν τοῖσδε τοῖς τάφοις καὶ τοὺς ἄλλους πανταχοῦ τοὺς ἐν πολέμῳ καὶ τοιούτῳ ἀποθανόντας ἔθαψαν. ἐνταῦθα μὲν τοίνυν τοὺς Φοινίσσης ἐκβαλόντας καὶ τὴν ἐπιοῦσαν ἀξίως ἔστιν εἰπεῖν ἐπιδεικτέον, ἀλλὰ καὶ πολλοὺς ἄλλους. οἱ γὰρ ἐκεῖ θάνατοι τοὺς ἑαυτῶν πατρίδας ἐποίησαν μείζω ἢ ἐπὶ τοῦ πρὸς Λακεδαιμονίους πολέμου τελευτῆσαι, καὶ λέγοντες δὲ ἐνταῦθα φέρει τῇ πόλει τῇ ἡμετέρᾳ καὶ πολίταις· ἐν ἐκείνῳ γὰρ τῷ

ὑπέρρει] 'slipped from under them and so undermined them'. Shilleto on *F. L.* p. 412 *τὸ δὲ ἐφ' ἑκάστοις τούτων ἁμάρτημα κατὰ μικρὸν ὑπορρέσασα ἄδικος τῇ πόλει πλάτη γέγονεται.* 'Bene et ad analogiam sermonis apte res dici potest ὑπορρεῖν τι (h. e. *ῥεῦν ὑπό τι*,) quae aliam rem *subterlabitur* et ita facit, ut ea subsidat deque statu suo dejiciatur' (Wolf). Lobeck on *Ajax* 82. ἐξέστην c. acc., observes 'similiter ὑπορρεῖν et ὑπεκρεῖν usurpatur ut latinum *subterfluere* pro subterfugere apud Demosthenem et Plutarchum'. Kühner, ii 253.

L and S think it 'probable that there is an anacoluthon, ὑπορρεῖ being substituted by the speaker for some transitive verb'; but the sentence as a whole seems constructed with too great care to admit of such an explanation of this particular word.

§ 50. κτῶνται...φυλάττειν] *Ol.* i 23 *πολλάκις δοκεῖ τὸ φυλάξαι τἀγαθὰ τοῦ κτήσασθαι χαλεπώτερον εἶναι.* But conversely, *Ol.* ii 26 *πολὺ ῥᾷον ἔχοντας φυλάττειν ἢ κτήσασθαι πάντα πέφυκεν* (West.).—μηδενός, neut. cf. *πάντα ταῦτ' ἀμελούμενα.*

ὃ μὴ πάθητε νῦν] 167. νόμον θέσθαι, §§ 4, 14. ἀναπλήσει, 28.

ἐάν τι συμβῇ] euphemistically contrasted with *καλῶς πράττουσαν*, as in *Ol.* ii 15. Similarly *εἴ τι γένοιτο* in *Phil.* iii 18 and *εἰ δέ τι πάθοι* in *Phil.* i 12, *Aristocr.* 12. Cf. iii 50 and *Chers.* 25.

§ 51. εἶεν] for εἴασον, Kühner, ii 911. Φορμίων, the previous speaker. See *Introd.* § 5, p. xxiv.

τοῦ πρὸς Λακ. πολέμου] The reference is primarily to the war between the Lacedaemonians and the allied Athenians, Boeotians, Argives and Corinthians, usually called the Corinthian War (395–387); to that war belongs the incident related in the next two sections, and to the same period, the event mentioned in § 60. But in § 59 we have an incident of the Peloponnesian War, which is probably inserted at that place because it had several points in common with that recounted in § 60. Weil and Rosenberg prefer giving the words a more 'general' sense, so as to include all the struggles between Athens and Sparta between the beginning of the Peloponnesian War and the Peace of Antalcidas. In *Androt.* 15, immediately after mentioning the Decelean War, Dem. refers to what he calls τὸν πρὸς Λακ. πόλεμον where he clearly means the 'Corinthian War'.

ἃ συμφέρει] The present tense indicates that which was present at the past time indicated by *παρέσχον*. After

52 ὑμᾶς εὔνοιαν στέρονται τῆς πατρίδος. ὧν ἐπέρχεταί μοι πρώτους ἐξετάσαι τοὺς ἐκ Κορίνθου φεύγοντας[n]. ἀναγκάζομαι δὲ λέγειν πρὸς ὑμᾶς ταῦτα, ἃ παρ' ὑμῶν τῶν πρεσβυτέρων αὐτὸς ἀκήκοα. τὰ μὲν οὖν ἄλλ' ὅσα χρησίμους ὑμῖν[m] ἑαυτοὺς ἐκεῖνοι παρέσχον, ἐάσω· ἀλλ' ὅθ' ἡ μεγάλη μάχη πρὸς Λακεδαιμονίους ἐγένεθ', ἡ ἐν Κορίνθῳ, τῶν ἐν τῇ πόλει βουλευσαμένων μετὰ τὴν μάχην μὴ δέχεσθαι τῷ τείχει τοὺς στρατιώτας, ἀλλὰ πρὸς Λακεδαιμονίους
53 ἐπικηρυκεύεσθαι, ὁρῶντες ἠτυχηκυῖαν τὴν πόλιν καὶ τῆς παρόδου κρατοῦντας Λακεδαιμονίους, οὐχὶ προὔδωκαν οὐδ' ἐβουλεύσαντ' 473
ἰδίᾳ περὶ τῆς αὑτῶν σωτηρίας, ἀλλὰ πλησίον ὄντων μεθ' ὅπλων

[n] φεύγοντας F, et Cobet (w Wr Bl): φυγόντας. Fortasse delendum esse censet Blass, coll. Aristid. i 180 Dind.

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the aorist, we might have had the optative ἃ συμφέροι (*quae utilia essent*) in the relative clause; but here, as in *Phil.* ii 7, the indicative is preferred. Similarly 18 § 220 ἃ δεῖ. 18 § 172 and 19 § 34 ὅ τι χρὴ ποιεῖν. 22 § 66 ὑπὲρ ὧν ἡ πόλις πάσχει. 4 § 46 ὅσα βούλεσθε (West., and Rehdantz *index* ii, s. v. *Präsens*).

§ 52. **ἐξετάσαι**] 'to pass in review', 58.

ἀναγκάζομαι—ἀκήκοα] It is characteristic of a comparatively young orator to apologise for referring to historical facts which are better known to some of his audience than to himself. It is also in conformity with oratorical custom modestly to appeal to the authority of the older men in the audience (Weil). Cf. *Androt.* 15 (of the Decelean War) τῶν ἀρχαίων ἔν, ὃ πάντες ἐμοῦ μᾶλλον ἐπίστασθε, ὑπομνήσω. It will further be observed that Demosthenes relies on current statements for his historical facts, and disclaims all reference to written sources of information. The events he is on the point of mentioning are described in Xenophon's *Hellenica;* but that work was probably not published until after 357, the date of the assassination of Alexander of Pherae, which is recorded in vi 4 § 33. If it was not published until 355, Demosthenes may not have read it before composing his speech. His description does not exactly tally with that of the historian (see note on ἀνέῳξαν, below), and there is every probability that the statement, that he had heard of the events from some of his elders, is strictly true. A young man of twenty, who was present at the battle of Corinth, would be of the age of sixty at the date of the delivery of this speech, and would be twice the age of Demosthenes at the time.

ἡ μεγάλη μάχη] The 'battle of Corinth', fought by the Nemean brook between Corinth and Sicyon about the middle of the summer of 394 B.C. Xen. *Hell.* iv 2 § 18; *Ages.* 7 § 5 ἡ ἐν Κ. μάχη; Lys. 16 § 15. 'The heavy-armed infantry probably numbered about 20,000 men on either side' (Diodor. xiv 83). Curtius, *H. G.* Bk. v chap. iv, iv 234 Ward. The public monument in honour of the eleven (out of the 600) horsemen who fell in the battle was seen by Pausanias on the road from the Dipylon to the Academy (i 29 § 8) and has been recently discovered (Hicks, no. 68, cf. 69).

τῶν ἐν τῇ πόλει] The oligarchical party in Corinth who looked with disfavour on the alliance with Athens and, encouraged by the success of the Lacedaemonian troops, shut the gates in the face of the defeated Athenians and their allies (τοὺς στρατιώτας). Xen. *l. c.* § 23 οἱ ἡττῶμενοι τὸ μὲν πρῶτον ἔφευγον πρὸς τὰ τείχη· ἔπειτα δ' εἰρξάντων (restored by Schneider and subsequent editors with the help of the present passage, instead of the manuscript reading ἀρξάντων) Κορινθίων πάλιν κατεσκήνωσαν εἰς τὸ ἀρχαῖον στρατόπεδον.

§ 53. **ὁρῶντες**] 'although they saw', *de Cor.* 43 πολεμούμενοι, and 142 ἔχων.

τὴν πόλιν] Athens. **τῆς παρόδου**, the narrow approach between Corinth and the harbour at Lechaeum. The same word is used of the narrow pass of Thermopylae, [Lysias] 2 § 32 τῶν δὲ τῆς παρόδου κρατησάντων.

πλησίον—Πελοποννησίων] 'although all the Peloponnesians were close at hand'.

ἀπάντων Πελοποννησίων ἀνεῳγμένων τὰς πύλας ἑαυτῷ βίᾳ τῶν πολλῶν, καὶ μᾶλλον εἴλοντο αὐτοῦ ἐμοῦ τῶν τότε στρατευσαμένων εἴ τι δέοι πάσχειν. ἐπὶ γοῦν ἐμοῦ ἀναπεπταμένων ἐστρατεύσθαι, καὶ εἰσέφρουν τὸ στράτευμα καὶ διέσωσαν καὶ ἐμοῦ καὶ τοὺς συμμάχους. ἐπειδὴ δ' ἐκ τῆς Λακεδαιμονίων εἰρήνης μετὰ ταῦτ' ἐγένετο, ἡ ἐπ' Ἀνταλκίδου, αὖτοὶ τῶν ἔργων τούτων ὑπὸ Λακεδαι-

[a] πολιτῶν Weil. [b] 'De verbo εἰσφέρειν et ἐσφορᾶς diligenter exposui in *Var. Lect.* p. 775 sqq. ubi h. l. restituendum esse εἰσφερ(ΟΝΤΟ τὸ στράτευμα ostendimus, ut apud Euripidem legitur in *Troad.* 653, ἔπου πεδάσων κοινὰ θηλυμὴ ἔτη σὺν εἰσφέροντας et in *Cyclope* 238, τοὺς ἄλλους ξένους φέροντα.' Cobet. [c] ἡ Α (Rl): om. S vulg. [d] ἀνταλκίδου S[1] l. 1. 'Eruditi lectoris annotatiuncula est ἡ ἐπὶ Ἀνταλκίδου. Non est oratoris talia commemorare, et nihil omnino facit ad rem. Hoc unum agit Demosthenes ut ostendat cives Corinthios de Atheniensibus optime meritos ob id ipsum post pacem compositam a Lacedaemoniis esse patria expulsos. Quid tandem attinebat narrare hanc pacem esse τὴν ἐπ' Ἀνταλκίδου?' Cobet (M). Servat Blass, collato Aristid. i 723 καὶ πάλιν τῆς εἰσφορᾶς γενομένης τῆς ἐπὶ Ἀνταλκίδου.

The sense is misunderstood in Breitenbach's note to Xen. *l. c.*, '(Dem. narrat) exsules Corinthios magna Peloponnesiorum multitudine adiutos invita plebe urbis muros patefecisse'. The Peloponnesians are, of course, the Lacedaemonians and their allies, but ἁπάντων is a manifest exaggeration. The list in Xen. *l. c.* § 16 shews that the Lacedaemonians were supported by troops from Elis and the neighbourhood, from Sicyon, and from Epidaurus, Troezen, Hermione and Halieis. Tegea, Mantinea and Achaia are mentioned on the same side in § 13. On the other side there was the important state of Argos in alliance with Athens, and represented by 7000 hoplites.

ἀνέῳξαν—τὸ στράτευμα] This account does not agree with that of Xenophon, *l. c.* 23, who states that the losing side attempted to escape to the walls of Corinth; but, being excluded from the city, pitched their tents once more at their former encampment; while the Lacedaemonians withdrew to the point where they first engaged with the enemy and there set up a trophy. As suggested by Weil, it was doubtless on the next day, or during the following days, that the democratic party, having recovered from their alarm, gained the upper hand in the city and opened the gates to the army. 'It was not till after some time had passed', says Curtius, *l. c.* 235, 'that the fugitive bands succeeded in forcing an entrance and reaching a safe retreat behind the walls'. It is suggested by Grote (II Chap. 74) that some of the Athenian forces had effected an entrance before the gates were closed.

βίᾳ τῶν πολλῶν] 'in spite of the majority', i.e. the Laconian party. But if the latter were in the majority, it is strange that they did not hold their own. It is probably this feeling that has led to Weil's very plausible emendation βίᾳ τῶν πολιτῶν, 'in spite of their fellow-citizens'.

ὑμῶν] partitive gen., depending on τῶν στρατευσαμένων, and not on μετά. Below, in χωρὶς ὑμῶν, the speaker regards the audience as the representatives of those who actually took the field.

εἰσέφρουν] Harpocr. εἰσφρεῖν: ἀντὶ τοῦ εἰσάγειν, εἰσβάλλεσθαι· Ἀντιφῶν καὶ Δημοσθένης ἐν τῇ Φιλιππικῷ [Or. x *Chers.* § 15 τούτους εἰσφρήσεσθαι μᾶλλον ἢ ἐκείνῳ παραδώσειν τὴν πόλιν]. πολὺ δὲ τοὔνομα ἐν τῇ ἀρχαίᾳ κωμῳδίᾳ [Ar. *Vesp.* 893 εἴ τις θύραζε ἠλιάστῃ, εἰσίτω· δυ' ἡμῖν ἂν λέγωσιν, οὐκ ἐσφρήσομεν, Com. *Fragm.* 4, 651 *φρά*]. Cf. *Vesp.* 162 ἐκφρεῖ and 146 ἐκφήσει, *Av.* 193 διαφρήσετε, Eur. *Phoen.* 264 ἐκφρῶσ', *Alc.* 1080 ἐκπεσὼν ἐκφρῇ, Thuc. vii 32 § 1 ὅπως μὴ διαφρήσουσι (Bekk. Dobr. Dind.) τὸν πολεμίων, and in the middle voice *Tro.* 695 εἰσφρύμενον, *Cycl.* 238 ἐξφρύηται. The impf. active is found only in Ar. *Vesp.* 149, διέφρων (Bekk.), ἐξέφρεομεν (Dind. Bergk). The impf. middle has better authority, but this does not appear to be sufficient reason for making the slight alteration εἰσεφρύηντο proposed by Cobet M. C. 456 and V. L. 171.

§ 54. **ἡ ἐπ' Ἀνταλκίδου**] The peace negotiated by the authority of Antalcidas. Xen. *Hell.* v 1 § 36 ἐπὶ τῇ ἐπ' Ἀντ. εἰρήνῃ καταπεμφθεὶς Plut. *Artax.* 21 § 4 τὴν παρεθεῖσαν εἰρήνην τὴν

μονίων ἐξέπεσον. ὑποδεξάμενοι δ' ὑμεῖς αὐτοὺς ἐποιήσατ' ἔργον ἀνθρώπων[s] *καλῶν κἀγαθῶν· ἐψηφίσασθε γὰρ αὐτοῖς ἅπανθ' ὧν ἐδέοντο. εἶτα ταῦτα νῦν εἰ χρὴ κύρι' εἶναι σκοποῦμεν; ἀλλ' ὁ λόγος πρῶτον*[t] *αἰσχρὸς τοῖς σκοπουμένοις*[u]*, εἴ τις ἀκούσειεν ὡς*

[s] *ἀνθρώπων*, post *κἀγαθῶν* in Vind. 1 positum, delere vult Blassius, collato § 56.
[t] *πρῶτον* malebat deesse Sauppius, collato § 60 *ἀλλ' αἰσχρὸν ἂν εἴη. αὐτὸς* coniecit olim Westermannus (*Zeitschr. Alt.* p. 586), *πρὸς θεῶν* Rauchenstein, *Jahrb. f. Phil.* 1867 p. 460. Quondam putavi in *πρῶτον* latere fortasse *πῶς οὐκ*, coll. §§ 9, 12, 59. *πρῶτον* servat Bl, collato Aristid. i 632 *αἰσχρὸν γὰρ ἐάν τις ἀκούσῃ τοῦτο πρῶτον, ὅτι Ἀθηναῖοι φοβοῦνται.* [u] *τοῖς σκοπουμένοις* fortasse delendum esse olim existimavit Dobree, idem censet Cobet; *τοῖς οὑτωσὶ σκ.* conicit Weil, coll. § 18. [v] *προσῆκεν* vulg. (D V W Bl): *προσήκει* S^1 (recentior *ει*

ἐπ' Ἀντ. προσαγορευομένην. Thuc. v 18 *τὸν φόρον τὸν ἐπ' Ἀριστείδου* and vi 5 *τὴν ἐπὶ Λάχητος γενομένην συμμαχίαν* (West.). Kühner ii 431; *inf.* 126 *ἐπ ἀνθρώπου humana auctoritate.*

The terms of the peace were as follows: Ἀρταξέρξης βασιλεὺς νομίζει δίκαιον τὰς μὲν ἐν τῇ Ἀσίᾳ πόλεις ἑαυτοῦ εἶναι καὶ τῶν νήσων Κλαζομενὰς καὶ Κύπρον, τὰς δὲ ἄλλας Ἑλληνίδας πόλεις καὶ μικρὰς καὶ μεγάλας αὐτονόμους ἀφεῖναι πλὴν Λήμνου καὶ Ἴμβρου καὶ Σκύρου· ταύτας δὲ ὥσπερ τὸ ἀρχαῖον εἶναι Ἀθηναίων. ὁπότεροι δὲ ταύτην τὴν εἰρήνην μὴ δέχονται, τούτοις ἐγὼ πολεμήσω μετὰ τῶν ταῦτα βουλομένων καὶ πεζῇ καὶ κατὰ θάλατταν καὶ ναυσὶ καὶ χρήμασιν (Xen. *Hell.* v 1 § 31). B.C. 387. See § 60.

ἐξέπεσον, being used instead of the aor. pass. of *ἐκβάλλω*, is constructed with *ὑπὸ* (Kühner ii 452). Lys. 13 § 77 *τῶν ὑπὸ τούτου ἐκπεπτωκότων*. Similarly with the intransitive verbs *ἀποθνήσκω* and *φεύγω*.

καλῶν κἀγαθῶν] In good Greek *καλὸς κἀγαθός* is always written as two words, neither as three, nor as one. But the parathetic form becomes synthetic in the derivatives *καλοκαγαθία* and *καλοκαγαθεῖν* (Cobet *N. L.* 323, 394). Hence there is a slight inaccuracy in the Greek quoted by Coleridge in his will (Sept. 1829): 'John Hookham Frere who of all men that I have had the means of knowing during my life, appears to me eminently to deserve to be characterized as *ὁ καλοκἀγαθος ὁ φιλόκαλος*'. Similarly in Newman's *Historical Sketches* p. 81 (of the Athenians): 'Their model man, like the pattern of chivalry, was a gentleman, *καλοκἀγαθός*'.

ἅπανθ' ὧν ἐδέοντο] probably similar honours to those conferred on some of the Byzantines in § 60, *προξενίαν, εὐεργεσίαν, ἀτέλειαν ἁπάντων.*

ὁ λόγος, *ea res, de qua loquimur. Statim hoc ipsum vobis turpe erit, si rumor vulgaverit Athenienses consultare* (Wolf). The scholiast (approved by Benseler) explains *ὁ λόγος* by *τὸ νόημα*. Schaefer more satisfactorily understands it of 'the mention of the fact'.

πρῶτον, 'to begin with', 'at the very outset', 'at the first blush', before going into further particulars. We expect this to be followed by *δεύτερον* or *ἔπειτα*, but the only equivalent we find is in *ὅρα δ'* in the second line of the next section. 'The Athenians are deliberating whether they ought to allow men, who have deserved well of them, to retain the reward of the services they have rendered. Why! that is already shameful! But, continues the orator, those who know the full extent of those services will find that deliberation doubly shameful' (Weil).

πρῶτον = εὐθύς, statim (says Reiske); *confestim* (Wolf, less satisfactorily); = *primum*, G. H. Schaefer, who attributes the absence of the second point to the interruption caused by the reading of the decrees (cf. § 68). This is improbable, says Westermann, who considers the parallel quoted to be irrelevant, no less than the passages in *Halon.* § 7, *Androt.* § 22, *Aristocr.* § 196, *Timocr.* § 34, where *πρῶτον*, though not actually followed by *δεύτερον* or *ἔπειτα*, is nevertheless followed by an equivalent in sense. In § 68 *πρῶτον* includes everything as far as § 75 where *ἀλλὰ νὴ Δία* does duty instead of *δεύτερον*.

τοῖς σκοπουμένοις] either (middle) 'in the eyes of those who consider the matter', i.e. uninterested lookers-on, other than the Athenians (West.), 'or 'to those who are considering this matter', i.e. the Athenians (*σκοπεῖσθαι* is found in the middle sense in *Ol.* i 14, ii 4, 12; *Phil.* iii 69); or (passive) 'in the matter under consideration'. The last is the view

Ἀθηναῖοι σκοποῦσιν, εἰ χρὴ τοὺς εὐεργέτας ἐὰν τὰ δοθέντ' ἔχειν. πάλαι γὰρ ἐσκέφθαι ταῦτα καὶ ἐγνῶσθαι προσῆκεν[v]. *ἀνάγνωθι*[x] *καὶ τοῦτο τὸ ψήφισμ' αὐτοῖς.*

ΨΗΦΙΣΜΑ.

Ἃ μὲν ἐψηφίσασθε τοῖς φεύγουσιν[y] *δι' ὑμᾶς Κορινθίων ταῦτ'* 55
ἐστίν, ὦ ἄνδρες δικασταί. ὅρα[z] *δ', εἴ τις ἐκείνους τοὺς καιροὺς εἰδὼς*[a] *ἢ παρὼν ἤ τινος εἰδότος*[b] *διεξιόντος ἀκούσας, ἀκούσαι τοῦ νόμου τούτου τὰς τότε δωρειὰς δοθείσας ἀφαιρουμένου, ὅσην ἂν κακίαν*

mutavit in *εν*), et L. [x] *ἀνάγνωθι* S L : *ἀ. δέ μοι* vulg. (B 1824). [y] *φεύγουσιν* S (V Bl) : *φεύγουσι* cet. [z] *ὅρα* S solus : *ὁρᾶτε* L et vulg. (B 1824). [a] *εἰδὼν* S L et vulg.: *εἰδὼς* A (W Wr), quod grammatici quidem coniecturam sed eandem bonam appellat Weil, coll. § 47. 'Haec ita dicuntur quasi quis duobus modis illa tempora *videre* potuerit *ἢ παρὼν ἢ ἀκούσας*. Quod quum sit absurdum pro *ἰδών* ex nonnullis libris *εἰδώς* est restituendum. Saepe *εἰδώς* et *ἰδών*, *εἰδότες* et *ἰδόντες* inter se mutant locum' Cobet. 'Immo *ἰδὼν παρὼν* vel *ἢ ἰδὼν παρὼν*' Z. [*ἢ παρὼν*] 'scholiasta de *παρὼν* omnino tacet' Blass. Fortasse scribendum *εἰδὼς παρὼν*. [b] *εἰδότος*] *ἰδόντος* Dobree.

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taken by Dr Kennedy in *Journal of Philology* v 86: "It is strange (he says) that commentators and translators should so long have been content in this place to assume that *σκοπουμένοις* is Middle, and used (contrary to the practice of Demosthenes) in exactly the same sense as the Active form which twice appears in the sentence; while *ἐσκέφθαι* afterwards is Passive. Perhaps they would plead that Demosthenes uses *σκοπουμένοις* to avoid the confusion between *σκοποῦσιν* Partic. and the *σκοποῦσιν* (Verb) which follows. On every ground it must be clear that *σκοπουμένοις* is Passive and Neuter (Dative of Respect); and that the true version is: 'And are we then now considering whether these grants ought to remain in force? Why, the question, at the outset, is disgraceful *in the very subject-matter of consideration*, were any one to hear that Athenians are considering *whether they should allow their benefactors to keep their gratuities*. For this point ought to have been considered and resolved long ago'." For the Passive use, Dr Kennedy quotes Plato, *Leg.* vi 772 D *σκοπῶν καὶ σκοπούμενος ὑπ' ἀλλων*. The words are bracketed by Dobree and Cobet, *M. C.* 497, who explains what remains as = *πρώτον ἐστιν αἰσχρὸν καὶ λέγειν*.

εἴ τις ἀκούσειεν] an expansion of *ὁ λόγος*. The scornful emphasis on *σκοποῦσιν* reminds one of the similar effect produced by the reiteration of the equivalent German verb in Lessing's *Nathan der Weise*, l. 1500,

(*Nathan*) Doch, Al-Hafi, will
Ich's überlegen. Warte... (*Al-Hafi*) Ueberlegen?
Nein, so was überlegt sich nicht...
Wer überlegt, der sucht
Bewegungsgründe, nicht zu dürfen.

ἐσκέφθαι] The passive use is found in Thuc. vii. 62 *ἐσκεμμένα* and in *Mid.* 191 *ἐσκεμμένα καὶ παρεσκευασμένα*, followed in the next § by the middle use of *ἐσκέφθαι* and by *σκοπεῖν*. *ἐσκεμμένος* is middle in *Ol.* i § 1, and *ἐσκέφθαι* (passive) is followed by *σκοπεῖτε* in Or. 15 *Rhod.* 25. *σκόπει* and *ἔσκεμμαι* occur in Plato, *Euthyd.* 283 C; and *σκοπεῖτε* and *ἔσκεπται* in *Rep.* 369 B. The present and impf. of this verb are formed from *σκοπω*, while the future, perfect, plupf. and aorist are formed from *σκέπτομαι*.

§ 55. **τοῖς φεύγουσιν**] 'those of the Corinthians who for your sake *were in exile*'. Cf. § 52.

ὅρα] vividly used as in § 21.

εἰδώς] For the general sense of the context, cf. *Phil.* i 3 *καὶ παρ' ἀλλων ἀκούουσι καὶ τοῖς εἰδόσιν αὐτοῖς ἀναμιμνησκομένοις*. **διεξιόντος**, 'having heard someone who knew (those critical times) tell the story of them'. **ἀκούσας, ἀκούσαι**. The repetition is meant to emphasize the contrast between the crisis in which the benefit was conferred, and its ungrateful requital at the present time.

τὴν μὲν ἐν Βοσπόρῳ, τὴν δ' ἐν Πειραιεῖ, τὴν δ' ἐφ' Ἱερῷ. σκοπεῖτε

στήλῃ γέγραπται, ἐφ' οἷς τε νῦν ἔξεστι τὴν εἰρήνην ποιεῖσθαι, 34 *ἐφ' οἷς ὅρκοι τε ὀμοσθήσονται στῆλαί τε σταθήσονται γεγραμμέναι.* Lysias 1 § 30 *τὸν νόμον τὸν ἐκ τῆς στήλης τῆς ἐξ Ἀρείου πάγου,* 30 § 17 *θύειν τὰς θυσίας τὰς ἐκ τῶν κύρβεων καὶ τῶν στηλῶν κατὰ τὰς συγγραφάς,* 21 *κατὰ τὰς στήλας ἃς οὗτος ἀνέγραψε.* Lycurgus 117 of Hipparchus, son of Timarchus, *τὴν εἰκόνα αὐτοῦ ἐξ ἀκροπόλεως καθελόντες καὶ συγχωνεύσαντες καὶ ποιήσαντες στήλην ἐψηφίσαντο εἰς ταύτην ἀναγράφειν τοὺς ἁλιτηρίους καὶ τοὺς προδότας* (cf. 118). Deinarchus 2 § 24 *περὶ τούτων ψηφισάμενοι στήλην εἰς ἀκρόπολιν ἀνήνεγκαν.* Cf. *στηλίτης* of one whose name is inscribed on a *στήλη* as a mark of infamy, Dem. 9 § 45. Cf. Pollux 10 § 97 *ἐν ταῖς Ἀττικαῖς στήλαις, αἳ κεῖνται ἐν Ἐλευσῖνι, τὰ τῶν ἀσεβησάντων περὶ τὼ θεὼ δημοσίᾳ πραθέντων ἀναγέγραπται.*

In the decree in honour of the sons of Leucon, no. 111 Hicks, l. 44, we read: *ἀναγ[ρ]άψαι δὲ τὸ ψήφισμα τόδε τὸν γραμματέα τῆς βουλῆς ἐν στήλῃ λιθίνει καὶ στῆσαι πλησίον τῆς Σατύρου καὶ Δεύκωνος, ἐς δὲ τὴν ἀν[α]γραφὴν δοῦναι τὸν ταμίαν τοῦ δήμου τριά[κ]οντα δραχμάς.* Similarly in the decree in honour of his descendant, Spartocus IV, no. 159 l. 52 *τὸν γραμματέα τὸν [κατὰ π]ρυτανείαν ἀναγράψαι τόδε τὸ ψήφισμα [ἐν στ]ήλῃ λιθίνῃ καὶ στῆσαι ἐν ἀκροπόλει.*

τὴν μὲν ἐν Βοσπόρῳ *κ.τ.λ.*] The original *ψήφισμα* was probably placed on the acropolis; the copies, as we here learn, were set up (1) in Bosporus or Panticapaeum, the capital of Leucon's dominion, (2) in the Peiraeus, (3) at Hierum.

These decrees doubtless belonged to the early years of Leucon's rule. At that time the Athenians exacted dues on articles of merchandise not only in the Peiraeus, but also in the Thracian Bosporus (§ 60); while Leucon exacted similar dues in the Cimmerian Bosporus. The places, where the copies of the decrees were set up, clearly shew that on both sides it was a question of exemption from commercial dues (Weil). The publication of copies of important agreements at several places is illustrated by Thuc. v 18 § 10 *στήλας δὲ στῆσαι Ὀλυμπίασι καὶ Πυθοῖ καὶ Ἰσθμοῖ καὶ ἐν Ἀθήναις ἐν πόλει καὶ ἐν Λακεδαίμονι ἐν Ἀμυκλαίῳ.*

ἐφ' Ἱερῷ] A place so called from the temple of Ζεὺς Οὔριος on the Asiatic shore of the Thracian Bosporus, near the entrance of the straits as one approaches them from the Euxine. *In ponti ore et angustiis* (Cic. *Verr.* II iv 129). One of the copies of the decree was set up at this spot because it was a point which was constantly passed by the ships engaged in commerce between the Euxine and the Aegean. [Dem.] 50 § 17 *πλεῖν ἐφ' Ἱερὸν ἐπὶ τὴν παραπομπὴν τοῦ σίτου,* ib. 18, 58. Harpocr. s.v. *ἐφ' Ἱερόν· Δημοσθένης ἐν τῷ περὶ ἐπιτριηραρχήματος (l. c.). Ἱερόν ἐστι τῶν ιβ' θεῶν ἐν Βοσπόρῳ, ὡς Τιμοσθένης* (Τιμόξενος? Dind.) *ἐν τοῖς περὶ λιμένων.* Menippus in *Marciani periplus*, p. 122 ed. E. Müller, *κατὰ τὸν Θρᾴκιον Βόσπορον καὶ τὸ στόμα τοῦ Εὐξείνου Πόντου ἐν τοῖς δεξιοῖς τῆς Ἀσίας μέρεσιν, ἅπερ ἐστὶ τοῦ Βιθυνῶν ἔθνους, κεῖται χωρίον Ἱερὸν καλούμενον, ἐν ᾧ νεώς ἐστι Διὸς Οὐρίου προσαγορευόμενος· τοῦτο δὲ τὸ χωρίον ἀφετήριόν ἐστι τῶν εἰς τὸν Πόντον πλεόντων* (*Lacrit.* § 10 *ἐὰν δὲ μετ' Ἀρκτοῦρον ἐκπλεύσωσιν ἐκ τοῦ Πόντου ἐφ' Ἱερόν*). The bridge thrown by Darius over the Thracian Bosporus was, according to the conjecture of Herodotus, between Byzantium and *τοῦ ἐπὶ στόματι ἱροῦ* (iv 87 ult.). Polybius iv 39 § 5 *τὸ καλούμενον Ἱερόν, ἐφ' οὗ τόπου φασὶ κατὰ τὴν ἐκ Κόλχων ἀνακομιδὴν Ἰάσονα θῦσαι πρῶτον τοῖς δώδεκα θεοῖς* (cf. Pindar, *Pyth.* iv 203=361 ff., Apol. Rhod. ii 533). Spon and Wheler discovered on the site of Chalcedon the pedestal of a statue dedicated to Ζεὺς Οὔριος. The block of stone on which the dedicatory verses are inscribed is supposed to have been brought as ballast to Chalcedon from the northern entrance of the straits. It is now in the British Museum, CIG ii no. 3797; Kaibel's *Epigrammata*, 779; *οὔριον ἐκ πρύμνης τις ὁδηγητῆρα καλείτω Ζῆνα, κατὰ προτόνων ἱστίον ἐκπετάσας. εἴτ' ἐπὶ Κυανέας δίνας δρόμος, ἔνθα Ποσειδῶν κάμπυλον εἰλίσσει κῦμα παρὰ ψαμάθους, εἴτε κατ' Αἰγαίην πόντου πλάκα νόστον ἐρευνᾷ, νείσθω τῷδε βαλὼν ψαιστὰ παρὰ ξοάνῳ· ὧδε τὸν εὐάντητον ἀεὶ θεὸν Ἀντιπάτρου παῖς στῆσε Φίλων ἀγαθῆς σύμβολον εὐπλοίης* (Bentley's *Correspondence* ii 698 ed. 1842). The scenery of the neighbourhood is described in Clarke's *Travels*, vol. II chap. xi, and illustrated by a sketch in the quarto edition. In the *Illustrated London News* for 12 Dec. 1863, p. 593, there is a woodcut of what is supposed to be part of the temple, viz. a portal of Parian marble with upright columns 18 feet high and a richly decorated lintel 12 feet 6 inches long and six feet broad,

δὴ πρὸς ὅσης κακίας ὑπερβολὴν ὑμᾶς ὁ νόμος προάγει, ὃς ἀπιστότερον τὸν δῆμον καθίστησ' ἑνὸς ἀνδρός. μὴ γὰρ οἴεσθ' ὑμῖν ἄλλο 37
τι τὰς στήλας ἑστάναι ταύτας, ἢ τούτων πάντων ὧν ἔχετ' ἢ δεδώκατε συνθήκας, αἷς ὁ μὲν Λεύκων ἐμμένων φανεῖται καὶ ποιεῖν ἀεί τι προθυμούμενος ὑμᾶς εὖ, ὑμεῖς δ' ἑστώσας ἀκύρους πεποιηκότες, ὃ πολὺ δεινότερον τοῦ καθελεῖν· αὗται γὰρ οὕτωσὶ τοῖς βουλομένοις κατὰ τῆς πόλεως βλασφημεῖν τεκμήριον ὡς ἀληθῆ λέγουσιν ἑστήξουσιν. φέρ', ἐὰν δὲ δὴ πέμψας ὡς ἡμᾶς ὁ Λεύκων 38
ἐρωτᾷ, τί ἔχοντες ἐγκαλέσαι καὶ τί μεμφόμενοι τὴν ἀτέλειαν αὐτὸν ἀφῄρησθε, τί πρὸς θεῶν ἐροῦμεν ἢ τί γράψει ποθ' ὁ τὸ ψήφισμ' ὑπὲρ ἡμῶν γράφων; ὅτι νὴ Δί' ἦσάν τινες τῶν εὑρημένων[k] ἀνάξιοι. ἐὰν οὖν εἴπῃ πρὸς ταῦτ' ἐκεῖνος "καὶ γὰρ Ἀθηναίων τινές εἰσιν[l] 39

[k] *τινες τῶν εὑρημένων* A F, schol. p. 479 (Bl): *τῶν εὑρημένων τινὲς* (edd. ceteri).
[l] *εἰσὶν* vulg. (B 1824, Z D Bl): om. S Y O P^1, tribus brevibus continuo positis (B V W Wr); post *φαῦλοι* hiatu admisso collocavit L. 'Si delendum *εἰσί*, *ἴσως τινὲς* scribendum erit' Blass.

discovered by Dr Millingen on the site generally known as the Genoese castles. The site is a bold promontory, 'commanding on one side the sequestered bay of Buyuderé and on the other an uninterrupted view of the ever-changing waters of the Black-sea'.

κακίας ὑπερβολήν] 141, *De Cor.* 212 *τοσαύτῃ γ' ὑπερβολῇ συκοφαντίας οὗτος κέχρηται*. *F. L.* 66, *Meid.* 16, 75, 109, 119, 122, *Androt.* 52 = *Timocr.* 164, *Aristocr.* 160, 201; 27 § 38; 40 § 58 *εἰς τοσαύτην ὑπερβολὴν τόλμης ἥκουσιν*. Aeschin. 2 § 113 *κολακείας αἰσχρᾶς ὑπερβολήν*. Isaeus 6 § 45 *πρὸς ὑπερβολὴν ἀναισχυντίας*. Andoc. 3 § 33 *τοσαύτην ὑπερβολὴν τῆς ἐπιθυμίας ἔχουσιν*, 4 § 22 *τηλικαύτας ποιεῖται τῶν ἁμαρτημάτων ὑπερβολάς*. Lysias 14 § 38 *ὑπερβολὴν ποιησάμενος τῆς πρότερον πονηρίας*.

ἀπιστότερον] not 'more faithless', as though Leucon were unfaithful; but 'less faithful', 'less true to its promises'. Similarly *κάκιον* in Eur. *Bacch.* 483, and Plat. *Menex.* 236 A.

§ 37. **ἄλλο τι...ἑστάναι...ἢ...συνθήκας**] 'You must not suppose that these slabs of stone have been set up for yourselves *to be* (or *as*) anything else than agreements touching all these things that you either enjoy (yourselves) or have granted (to others)'. Cf. *τεκμήριον...ἑστήξουσιν* and § 64 *ἵν' (αἱ στῆλαι) παραδείγματ' ἑστῶσι*. Kühner, ii 243, 5.

φανεῖται] c. part. '*Men will see that* Leucon is abiding by these agreements'. Kühner, ii 631, 13.

εὖ] emphatically placed at the end of the clause instead of being weakly prefixed to *ποιεῖν* (where it would have caused a *hiatus* after *καί*). *F. L.* 138 *οὐδὲ γὰρ τὴν τῶν Θηβαίων πόλιν εἵλετο δημοσίᾳ ποιεῖν ὁ Φίλιππος εὖ*.

πεποιηκότες] sc. *φανεῖσθε*.

καθελεῖν] The overturning of the public record of the agreement was equivalent to an open rupture between the contracting parties. Atrocious as this might be, it is far more so to give public proof of having made the recorded agreement null and void while it was still standing. The former course was, at any rate, the more straightforward of the two. 16 *Megal.* 27 *δεῖ τὰς στήλας καθελεῖν αὐτοὺς τὰς πρὸς Θηβαίους*. Philochorus, quoted by Dionys. Hal., *ad Ammaeum* i 11 *τὴν μὲν στήλην καθελεῖν τὴν περὶ τῆς πρὸς Φίλιππον εἰρήνης καὶ συμμαχίας σταθεῖσαν*. Westermann refers to Arrian, *Anab.* ii 1 § 4 *καθελεῖν τὰς πρὸς Ἀλέξανδρόν σφισι γενομένας στήλας*, and 2 § 2.

§ 38. **φέρ'**] 26; *Aristocr.* 124, *φέρ', ἐὰν δὲ δή*.

τὸ ψήφισμ', the decree, i.e. the resolution duly moved and carried, stating the terms of your reply. Thus the inscription in honour of the sons of Leucon is a *ψήφισμα*, part of which is a reply to representations on the part of their envoys respecting sums of money due to them from Athens (Hicks, no. 111, l. 53 f.).

νὴ Δί'] 3, ironically introducing what, according to Dem., was the strongest argument on the side of Leptines, § 7.

§ 39. **ἐὰν οὖν εἴπῃ κ.τ.λ.**] An example

"ἴσως φαῦλοι, καὶ οὐ διὰ ταῦτ' ἐγὼ τοὺς χρηστοὺς ἀφειλόμην, ἀλλὰ "τὸν δῆμον νομίζων χρηστὸν πάντας ἔχειν ἐῶ", οὐ δικαιότερ' ἡμῶν ἐρεῖ; ἐμοὶ γοῦν δοκεῖ. παρὰ πᾶσι γὰρ ἀνθρώποις μᾶλλόν ἐστιν 469
ἔθος διὰ τοὺς εὐεργέτας καὶ ἄλλους τινὰς εὖ ποιεῖν τῶν μὴ χρηστῶν, ἢ διὰ τοὺς φαύλους τοὺς ὁμολογουμένως ἀξίους χάριτος
40 τὰ δοθέντ' ἀφαιρεῖσθαι. καὶ μὴν οὐδ' ὅπως οὐκ ἀντιδώσει τῷ Λεύκωνί τις, ἂν βούληται, δύναμαι σκοπούμενος εὑρεῖν. χρήματα μὲν γάρ ἐστιν[m] ἀεὶ παρ' ὑμῖν αὐτοῦ, κατὰ δὲ τὸν[n] νόμον τοῦτον, ἐάν τις ἐπ' αὖτ' ἔλθῃ, ἢ στερήσεταί τούτων ἢ λῃτουργεῖν ἀναγκασθή-

[m] ἔστιν B. [n] κατα τὸν δὲ propter tres breves scripsit Bl. [o] εἶνεχ' WR Bl;

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of the figure called ἠθοποιία or ἑτεροπρόσωπον, for which Westermann refers to *De Cor.* 40, 241; 8 § 34; 23 § 106.

ἴσως, 'I presume'.

οὐ δικαιότερ' ἡμῶν ἐρεῖ;] i.e. will not he say what will be fairer than what *we* say; will not his language be fairer than ours? A simple example of *comparatio compendiaria*, or *comparatio rei cum persona*. 23 § 207 (οἰκίαν Μιλτιάδου) τῶν πολλῶν οὐδὲν σεμνοτέραν. Kühner, ii 847.

§ 40. **οὐδ' ὅπως οὐκ ἀντιδώσει κ.τ.λ.**] So far, Dem. has implicitly admitted the indisputable fact that the prince of Bosporus was not bound to perform λῃτουργίαι at Athens. But his subtle sagacity does not allow any argument to escape him. Since Leucon is a citizen, I see no reason, he adds, why another citizen, nominated to undertake a λῃτουργία, should not summon him to change properties with him, or else to bear the costs of the λῃτουργία himself (Weil).

On **ἀντίδοσις**, see Boeckh, *P. E.* IV xvi, and cf. the speech against Phaenippus.

As Leucon had been presented with the Athenian citizenship, it has been inferred from this passage that any Athenian citizen, who was living abroad but had property at Athens, could be compelled on the strength of that property to bear the expense of a λῃτουργία. The first to draw this inference was Wolf; and similarly Boeckh observes (*P. E.* IV x init.): 'It is hardly necessary to remark that citizens by adoption (δημοποίητοι), like the rich banker Pasion and his son Apollodorus, performed λειτουργίαι and paid taxes and were members of the συμμορίαι, unless, like Leucon, king of Bosporus, they were exempted from the regular λειτουργίαι'. He adds in a note: 'I consider it unquestionable that those who were absent from Attica and who, like Leucon, had received the privileges of citizenship as an honorary distinction alone, did not perform the service of the hierarchy. And I very much doubt whether such persons, even if they possessed capital in Athens, were required to pay the εἰσφορά. With property in *land*, the case was doubtless different'. The passage is also quoted by Thumser, p. 119, in support of Boeckh's suggestion that the Athenian κληροῦχοι were liable to undertake the cost of a trierarchy on the strength of any property which they had left behind them in Attica. But it is justly observed in note 851 to Fränkel's ed. of Boeckh that Dem. is here not describing the actual state of the law, but is drawing a picture of the absurdity to which the law of Leptines must lead them (cf. *Hermes* xviii p. 457 ff.). My own suspicion is that Dem. is merely imagining an extreme case which is never likely to arise. It may even be doubted whether Leucon, as an honorary citizen, would have been liable to a λῃτουργία at all. Probably it was not by virtue of his ἀτέλεια that he was exempt from such λῃτουργία, for the ἀτέλεια in *his* case was possibly simply an exemption from custom-house duties; but by virtue of his being a foreign prince not residing at Athens.

ἐάν τις ἐπ' αὖτ' ἔλθῃ] 'if anyone attempt to touch that property, by challenging the prince either to perform the λῃτουργία or to exchange properties'.

στερήσεται τούτων] The first alternative may be dismissed at once, as it is clear that Leucon, if liable at all, would prefer the second.

σεται. ἔστι δ' οὐ τὸ τῆς δαπάνης μέγιστον ἐκείνῳ, ἀλλ' ὅτι τὴν δωρεὰν ὑμᾶς αὐτὸν ἀφῃρῆσθαι νομιεῖ.

Οὐ τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, μὴ Λεύκων ἀδικηθῇ, μόνον δεῖ αὐτὸν σκοπεῖν, ᾧ φιλοτιμίας εἵνεχ'[o] ἡ περὶ τῆς δωρεᾶς σπουδὴ γέγονε' ἄν, οὐ χρείας, ἀλλὰ καὶ εἴ τις ἄλλος εὖ μὲν ἐποίησεν ὑμᾶς εὖ πράττων, εἰς δέον δὲ νῦν γέγον' αὐτῷ τὸ παρ' ὑμῶν λαβεῖν[p] τότε τὴν ἀτέλειαν. τίς οὖν οὗτός ἐστιν; Ἐπικέρδης ὁ Κυρηναῖος, ὃς, εἴπερ τις ἄλλος[q] τῶν εἰληφότων, δικαίως ἠξιώθη ταύτης τῆς τιμῆς, οὐ τῷ μεγάλ' ἢ θαυμάσι' ἡλίκα δοῦναι, ἀλλὰ τῷ παρὰ τοιοῦτον καιρόν, ἐν ᾧ καὶ τῶν εὖ πεπονθότων ἔργον ἦν εὑρεῖν ἐθέλοντά τινα

εἵνεκα (Z B V); εἵνεκ' κ pro χ, w; ἕνεκα D. [p] τὸ λαβεῖν παρ' ὑμῶν (omisso τότε) Aristides p. 362 Walz (ml). [q] εἴπερ τις καὶ ἄλλος scripsit Blass, coll. Or. 24 §§ 51, 90; '*wofür D. meist* εἴπερ τις ἄλλος *sagt*' Rehdantz, *indices*, s. v. καί.

The actual carrying out of an exchange of properties was so inconvenient that we find only a few isolated examples of such a challenge being accepted (Meier-Schömann, *Der attische Process*, p. 741 ed. Lipsius).—For the middle sense of στερήσεται, cf. *Timocr.* 210 τῆς φιλοτιμίας ταύτης ἀποστερήσεσθε, 39 § 11; 40 § 10 (Veitch, *Gk. Vbs.*). στερηθήσομαι is only found in late Gk. For many similar verbs, see Kühner, ii 100.

τὸ τῆς δαπάνης κ.τ.λ.] 'It is not the question of expense that is for *him* the greatest consideration'.

ἀφῃρῆσθαι] in the middle sense.

§ 41. φιλοτιμίας—χρείας] 'whose regard for his privilege would arise from a sense of honour, and not from any need'.

εὖ...ἐποίησεν...εὖ πράττων] an instructive collocation of εὖ ποιεῖν 'to benefit' and εὖ πράττειν 'to prosper'.

εἰς δέον...γέγονεν] 26, 'has become convenient', *utilis facta sit* (Voemel). For the facts, cf. 44. *Phil.* i 14 εἰς δέον λέγουσιν, 'speak seasonably, to the purpose'; εἰς οὐδὲν δέον ἀναλίσκειν, 3 § 28; 4 § 40; 13 § 14 (Benseler). Hdt. i 119 ἡ ἁμαρτάς οἱ ἐς δέον ἐγεγόνεε, and 186 ult. τὸ ὀρυχθὲν ἕλκος γινόμενον ἐς δέον ἐδόκεε γεγονέναι καὶ τοῖσι πολιήτῃσι γέφυρα ἦν κατεσκευασμένη.

τὸ—λαβεῖν κ.τ.λ.]=ἡ παρ' ὑμῶν τότε ληφθεῖσ' ἀτέλεια.—τότε=ὅτ' ἔπραττεν εὖ.

Ἐπικέρδης ὁ Κυρηναῖος] In an unfortunately fragmentary decree of honour found on the Acropolis, we have a name which is restored as [Ἐπικέρ]δης ὁ Κυρηναῖ[ος]. And it is said of him: καὶ αὐτὸν ἐστεφάνωσεν ὁ δῆμος ἀρετῆς ἕνεκα καὶ εὐνοίας τῆς ἐς τὸν δῆμον. The date is about Ol. 101 = B.C. 376—373 (CIA ii 85 and Ἀθήναιον vi 480, vii 213, quoted in A. Schaefer's *Dem. u. s. Zeit*, I² 402 n). If the restoration of the name is correct, it disposes of the inferior reading Κερκυραῖος, which was preferred by Reiske solely on the ground that there was a closer connexion between Athens and Corcyra than between Athens and Cyrene.

Cyrene traced its foundation to the Lacedaemonian colony of Thera, and shewed its good-will to Sparta by supplying Gylippus with two triremes during the Sicilian expedition (Thuc. vii 50 § 2). It is therefore all the more remarkable that a native of that city should have aided the Athenians at the time of their disaster. It was connected, however, with all the Greek world by its exports of silphium, as well as of corn and hides and oil of roses (Theophr. viii 4 § 3, vi 6 § 5; Athen. 27 E, 689 A); and also with Athens in particular, by being on the highway to the oracle of Ammon (Boeckh, *P.E.* vol. ii 132 f² = 119 f²).

θαυμάσι' ἡλίκα] for θαυμάσιόν ἐστιν ἡλίκα by assimilation of the first adj. to the second. *F. L.* 24 θαυμάσι' ἡλίκα καὶ συμφέροντα, and θαυμαστὸν ὅσον in Plat. *Rep.* 350 D and *Hipp.* I, 282 C (Kühner, ii 920).

παρὰ τοιοῦτον καιρόν κ.τ.λ.] At the time of political and moral decline towards the close of the Peloponnesian War (West.).

καὶ τῶν εὖ πεπονθότων] removed from τινα and placed early in the clause for the sake of additional emphasis. ἔργον ἦν, 'it was hard work', *hoc opus, hic labor est*. *Timocr.* 51 ἔστι μὲν ἔργον...εἰ περὶ πάντων τῶν νόμων...ἀροῦμαν.

42 ὧν εὐεργέτητο[r] μεμνῆσθαι. οὗτος γὰρ ἀνήρ, ὡς τὸ ψήφισμα τοῦτο δηλοῖ τὸ τότ' αὐτῷ γραφέν, τοῖς ἀλοῦσιν τότ' ἐν Σικελίᾳ τῶν πολιτῶν[s] ἐν τοιαύτῃ συμφορᾷ καθεστηκόσιν, ἔδωκε μνᾶς ἑκατὸν καὶ τοῦ μὴ τῷ λιμῷ πάντας αὐτοὺς ἀποθανεῖν αἰτιώτατος γέγονεν[t]. καὶ μετὰ ταῦτα δοθείσης ἀτελείας αὐτῷ διὰ ταῦτα παρ' ὑμῶν, ὁρῶν ἐν τῷ πολέμῳ[u] πρὸ τῶν τριάκοντα μικρὸν σπανίζοντα τὸν δῆμον
43 χρημάτων, τάλαντον ἔδωκεν αὐτὸς ἐπαγγειλάμενος. σκέψασθε δὴ 47
πρὸς Διὸς καὶ θεῶν, ἄνδρες Ἀθηναῖοι, πῶς ἂν ἄνθρωπος μᾶλλον[v] φανερὸς γένοιτ' εὔνους ὢν ὑμῖν, ἢ πῶς ἧττον ἄξιος[w] ἀδικηθῆναι, ἢ πρῶτον μὲν εἰ παρὼν τῷ τῆς πόλεως ἀτυχήματι, μᾶλλον ἕλοιτο τοὺς ἀτυχοῦντας καὶ τὴν παρὰ τούτων χάριν, ἥτις ποτ' ἤμελλεν ἔσεσθαι, ἢ τοὺς ἐν ἐκείνῳ τῷ χρόνῳ κεκρατηκότας καὶ παρ' οἷς ἦν, δεύτερον δ', ἑτέραν χρείαν ἰδών, εἰ φαίνοιτο διδούς, καὶ μὴ πῶς[x] ἰδίᾳ

[r] εὐεργ. Z B V Bl: εὐηργ. D W Wr. [s] τοῖς ἠτυχηκόσιν ἐν Σ. τῶν πολιτῶν Aristides, τοῖς ἐν Σ.—καθεστηκόσιν, Rh. Gr. iv 323 Walz, unde et ἀλοῦσι et τότε (quod modo praecessit) seclusit Blass. [t] γέγονεν Rh. iv 323 (Bl): ἐγένετο codd. [u] πολέμῳ S[1] (τῷ in fine versus omisso), O Y (Z B Wr Bl): π. τῷ L, vulg. (B 1824, D V). πρὸ τῶν τριάκοντα μικρὸν seclusit W. [v] μᾶλλον om. S[1] O Y Q (B V). 'Cf. Aristid. ii 165 Dindf., πῶς ἂν τις μᾶλλον... πειθόμενος φανερὸς ἂν γένοιτο...ἢ πῶς...; ib. 188, πῶς ἂν τις μᾶλλον ἔδειξε...ἢ πῶς...;' Blass. [w] ἄξιος <ὢν> ἀδικηθῆναι, propter quattuor brevium concursum conicit Blass. [x] πως S[1] O Y (πῶς V Bl): ὅπως L, vulgo. Cf. § 4; Or. 8 § 40.

§ 42. **τοῦτο**] The speaker has the document before him.

τοῖς ἁλοῦσιν τότε] *illo tempore, insigni, noto omnibus* (Wolf). B.C. 413, fifty-eight years before.

τοιαύτῃ] *in tanta* et *quam scitis*, ut p. 460, 8 et p. 506, 16 (Wolf). **συμφορᾷ**, Thuc. vii 87 and Plut. *Nicias* 29. **τῷ λιμῷ**, Thuc. l. c. § 2 *λίμῳ ἅμα καὶ δίψει ἐπιέζοντο.*

μνᾶς] The amount of silver contained in a *μνᾶ*, or 100 drachmae, would be worth £3. 6*s.* 8*d.*, and the amount contained in a *τάλαντον*, or 6000 drachmae, would be worth £200, if (as is shewn by Prof. W. W. Goodwin in the *Transactions of the American Philological Association*, 1885, xvi p. 117—9) the amount of silver in a drachma were worth 8*d.* (*Select Private Orations*, II p. xviii). But this estimate tells us nothing of the *purchasing power* of the above amounts of money in ancient times.

τῷ...πρὸ τῶν τριάκοντα μικρὸν] That part of the Peloponnesian War which is called *ὁ πόλεμος ὁ Δεκελεικὸς* (Isocr. 8 § 37; 14 § 31; Dem. 18 § 96; 22 § 15; 57 § 18), from the spring of 413 B.C., when Agis occupied Decelea, to the fall of Athens in the spring of 404.

§ 43. **πῶς ἂν—ἀδικηθῆναι**] 'how a man could more clearly prove his goodwill to yourselves, or how he (could be) less deserving of being wronged'; *ἂν γένοιτο* is understood from the former clause.

παρὼν...παρ' οἷς ἦν] He was probably at Syracuse for purposes of trade. The very fact that he came from Cyrene, which was well affected to the Lacedaemonians, may have made it easier for him to give effective help to the unfortunate Athenians.

ἥτις—ἔσεσθαι] 'which was destined to come at some future date'.

τοὺς κεκρατηκότας] the Syracusans, allied with the Lacedaemonians.

ἑτέραν χρείαν ἰδών] placed for emphasis before *εἰ*, which is coupled closely with its verb, as in 25 *τὰς ἀτελείας ἐὰν ἀφέλησθε*. Westermann points out the similar position of *ἐὰν ἠδικημένους ἴδῃ* (22), *κύριος ἂν γένηται* (34), *εἰ* (46, 79); *Phil.* i § 29 *τοῦτ' ἂν γένηται*, and 43 *...ἐλπίδας ἂν ἀποστείλητε*, *Phil.* iii 44 *τῶν Ἀθηναίων κοινῶν εἰ μὴ μεθέξειν ἔμελλεν*, *de Pace* 16 *εἰς τὴν οἰκείαν εἴ τις ἐμβάλοι*, *Aristocr.* 42 *...ἐὰν ἀποκτείνωσί τινες*, and 94 *ψήφῳ, νῦν ἐὰν ἀποψηφίσησθε*. To these may be added *Ol.* 3 § 15 *νῦν ἐαν ὀρθῶς ποιῆτε*, inf. 119 *ἐὰν μή τις φῇ* and 133 *λόγῳ δ' ἂν ἀναισχυντῶσιν* (more refer-

τὰ ὄντα σώσει προνοούμενος, ἀλλ' ὅπως τῶν ὑμετέρων μηδὲν ἐνδεῶς ἕξει τὸ καθ' αὑτόν. τοῦτον μέντοι τὸν τῷ μὲν ἔργῳ παρὰ 44
τοὺς μεγίστους καιροὺς οὑτωσὶ κοινὰ τὰ ὄντα τῷ δήμῳ κεκτημένον, τῷ δὲ ῥήματι καὶ τῇ τιμῇ τὴν ἀτέλειαν ἔχοντα, οὐχὶ τὴν ἀτέλειαν ἀφαιρήσεσθε (οὐδὲ γὰρ οὔσῃ χρώμενος φαίνεται), ἀλλὰ τὸ πιστεύειν ὑμῖν, οὗ τί γένοιτ' ἂν αἴσχιον; τὸ τοίνυν ψήφισμ' ὑμῖν αὖτ' ἀναγνώσεται τὸ τότε ψηφισθὲν τῷ ἀνδρί. καὶ θεωρεῖτ', ὦ ἄνδρες Ἀθηναῖοι, ὅσα ψηφίσματ' ἄκυρα ποιεῖ ὁ νόμος[y], καὶ ὅσους[z] ἀνθρώπους ἀδικεῖ, καὶ ἐν ὁποίοις καιροῖς χρησίμους ὑμῖν παρασχόντας ἑαυτούς· εὑρήσετε γὰρ τούτους, οὓς ἥκιστα προσῆκ', ἀδικοῦντα. λέγε.

ΨΗΦΙΣΜΑ.

Τὰς μὲν εὐεργεσίας, ἀνθ' ὧν εὔρετο τὴν ἀτέλειαν ὁ Ἐπικέρδης, 45
ἀκηκόατ' ἐκ τῶν ψηφισμάτων, ὦ ἄνδρες δικασταί. σκοπεῖτε δὲ μὴ

[y] ὁ νόμος propter hiatum seclusit Benseler (Bl). [z] malim 'οἵους ἀνθρώπους. Numerus satis indicatur per ὅσα ψηφίσματα'. Dobree ('rectissime', Cobet; Bl).

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ences in Rehdantz, *index* i, s. v. *Stellung*). Similarly *Mid.* 109 ἄνθρωπος εἰ ποιήσας.

τὸ καθ' αὑτόν] 'so far as it lay with himself'; 'so far as *he* was concerned'; 82, *F. L.* 119, 250; 27 § 39; Aeschin. 2 § 101 ὅσα καθ' ὑμᾶς ἐστι. Thuc. ii 11 § 2.

§ 44. **ἔργῳ...ῥήματι**] a variation on the common contrast between ἔργον and λόγος.

παρὰ τοὺς μεγίστους καιροὺς] 'at (or, during) the most critical times'.

τῷ ῥήματι καὶ τῇ τιμῇ] i.e. 'only in a verbal and honorary manner', as a merely nominal and titular distinction. In § 41 we have been told that the privilege granted to Epicerdes in his days of prosperity has now become a matter of convenience to him; whereas here we are told that he does not avail himself of his privilege. To reconcile this apparent discrepancy the scholiast on § 41 quotes the suggestion that the sons of Epicerdes may have come to live in Athens, while the father (as he here observes in his note on the next clause) was absent in Cyrene. It seems more likely that the sons (§ 46), whether at Cyrene or (more probably) at Athens, were engaged in trade (possibly with capital supplied by their father) and found it to their advantage to claim ἀτέλεια, possibly an exemption from commercial dues, which was granted to their father. Meanwhile, the father had no occasion to avail himself of it, though it may now be said to be indirectly an advantage to himself, in so far as it is of advantage to his sons. At the present date he must have been in extreme old age; supposing he was 22 in 413 B.C., he must now have been 80.

τὸ...ψήφισμ'] The fragmentary inscription quoted on § 41 may possibly have been part of the original decree.

θεωρεῖτ'] imperative.

ὅσα ψηφίσματ'...ὅσους ἀνθρώπους] Dem. has mentioned by name Leucon and Epicerdes only; but he has already implied (29 ult.) that the sons of Leucon are also concerned, as also are the sons of Epicerdes (46). The plural ψηφίσματα refers not merely to (at least) one decree in honour of Epicerdes but also to the several decrees in honour of Leucon (35 ult.). This explanation seems simpler than that of G. H. Schaefer who endeavours to justify ψηφίσματα by altering the lemma at the end of this section into ΨΗΦΙCΜΑ (the first decree in recognition of the first gift from Epicerdes) <λέγε καὶ τουτὶ τὸ ψήφισμα. ΨΗΦΙCΜΑ> (the second decree, possibly extending the ἀτέλεια to the sons of Epicerdes). Benseler alters the heading into ΨΗΦΙCΜΑΤΑ because of the subsequent plural, in spite of the preceding singular τὸ ψήφισμα...τὸ τότε ψηφισθέν. Weil suggests that the plural refers either to those who are going to be mentioned at a later point in the speech, or to those who have already been mentioned by the preceding speaker, Phormion (§ 51).

§ 45. **τὰς εὐεργεσίας—τῶν ψηφισμάτων**] this shews that more than one de-

τοῦτ', εἰ μνᾶς ἑκατὸν καὶ πάλιν τάλαντον ἔδωκεν (οὐδὲ γὰρ τοὺς λαβόντας ἔγωγ' ἡγοῦμαι τὸ πλῆθος τῶν χρημάτων θαυμάσαι), ἀλλὰ τὴν προθυμίαν καὶ τὸ αὐτὸν ἐπαγγειλάμενον ποιεῖν καὶ τοὺς καιροὺς ἐν οἷς. πάντες μὲν γάρ εἰσιν ἴσως ἄξιοι χάριν ἀνταπολαμβάνειν οἱ προϋπάρχοντες τῷ[a] ποιεῖν εὖ, μάλιστα δ' οἱ παρὰ τὰς χρείας, ὧν εἷς οὗτος ἀνὴρ ὧν φαίνεται. εἶτ' οὐκ αἰσχυνόμεθ', ὦ ἄνδρες Ἀθηναῖοι, τοὺς τοῦ τοιούτου παῖδας εἰ μηδεμίαν ποιησάμενοι τούτων μηδενὸς μνείαν ἀφῃρημένοι φανούμεθα τὴν δωρειάν, μηδὲν ἔχοντες ἐγκαλέσαι; οὐ γὰρ εἰ ἕτεροι μὲν ἦσαν οἱ τότε σωθέντες ὑπ' αὐτοῦ καὶ δόντες τὴν ἀτέλειαν, ἕτεροι δ' ὑμεῖς[b] οἱ νῦν ἀφαιρούμενοι, ἀπολύει[c] τοῦτο τὴν αἰσχύνην, ἀλλ' αὐτὸ δὴ τοῦτο[d] καὶ τὸ δεινόν ἐστιν. εἰ γὰρ οἱ μὲν εἰδότες καὶ παθόντες ἄξια τούτων ἐνόμιζον εὖ πάσχειν[e], ἡμεῖς δ' οἱ λόγῳ ταῦτ' ἀκούοντες ὡς ἀναξίων

[a] τοῦ Seager et Dobree. [b] ἡμεῖς k (B). [c] λύει scripsit Blass, coll. Aristid. i 583 (infra), Liban. i 383, 5 *τὴν αἰσχύνην λύειν*, iii 423, 7 *ἀλλ' οὐ λύει τοῦτο τὴν σὴν κακίαν*. [d] αὐτὸ δὴ τοῦτο MSS: *ἐνταῦθα δὴ* scripsit Blass, coll. Aristid. ii 596 *ἐνταῦθα δὴ καὶ τὸ πάνδεινόν ἐστι*, i 779 *οὐ γὰρ εἰ...τοῦτο βελτίω...ποιεῖ, ἀλλ' ἐνταῦθα δὴ καὶ τὴν ὑπερβολὴν εὕροι τις ἄν*, i 583 *εἰ γὰρ ἐνταῦθα τὸ αἰσχρόν ἐστι, τί μᾶλλον...λύεται*; Liban. iv 68, 16 *ἀλλ' ἐνταῦθα δὴ καὶ τὸ τούτου δεινότερον*. [e] *εἰ γὰρ οἱ μὲν εἰδότες καὶ ἔργῳ μαθόντες ἀξίους τούτους ἐνόμιζον εὖ πάσχειν* Markland. *ἐνόμιζον παρασχεῖν* coniecit H. Wachendorf, *Rhein. Museum* xxvi 412.

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cree in honour of Epicerdes has really been read.

θαυμάσαι] 'set great store by'.

ἐν οἷς] sc. *ἐποίησε ταῦτα*. *A friend in need is a friend indeed.*

§ 46. **πάντες...χάριν ἀνταπολαμβάνειν κ.τ.λ.**] For the general sense of the context, cf. Ar. *Rhet.* II 7 § 2 *μεγάλη δ' (ἡ χάρις), ἂν ᾖ σφόδρα δεομένῳ, ἢ μεγάλων καὶ χαλεπῶν, ἢ ἐν καιροῖς τοιούτοις, ἢ μόνος ἢ πρῶτος ἢ μάλιστα*, and ib. § 3 *οἱ ἐν πενίᾳ παριστάμενοι καὶ φυγαῖς, κἂν μικρὰ ὑπηρετήσωσιν, διὰ τὸ μέγεθος τῆς δεήσεως καὶ τὸν καιρὸν κεχαρισμένοι*, and § 5 *δῆλον ὅτι ἐκ τούτων παρασκευαστέον, τοὺς μὲν δεικνύντας ἢ ὄντας ἢ γεγενημένους ἐν τοιαύτῃ δεήσει καὶ λύπῃ, τοὺς δὲ ὑπηρετηκότας ἐν τοιαύτῃ χρείᾳ τοιοῦτόν τι ἢ ὑπηρετοῦντας*. Cic. *de invent.* ii 112.

τῷ ποιεῖν εὖ] The order *τῷ εὖ ποιεῖν* is avoided, partly to prevent hiatus; but, still more, to secure additional emphasis. Cf. note on § 37 *εὖ*. The usual construction with *προϋπάρχειν* is the gen.

παρά] 44 init.

οὐκ αἰσχυνόμεθ' κ.τ.λ.] The construction is *οὐκ αἰσχυνόμεθ', εἰ μηδεμίαν ποιησάμενοι τούτων μηδενὸς μνείαν, φανούμεθ' ἀφῃρημένοι τοὺς τοῦ τοιούτου παῖδας τὴν δωρειάν*; For the sake of emphasis *τοὺς τοῦ τοιούτου παῖδας* is placed before *εἰ* (as in the exx. quoted on § 43), even at the risk of its being supposed that it is the acc. after *αἰσχυνόμεθ'* (a construction found in Plat. *Symp.* 216 B). The effect of this intentional displacement is to remove the accusative from its governing word *ἀφῃρημένοι*. The sense is clearly given by Voemel: 'nonne igitur nos pudet...talis viri liberos, quibus nihil obiicere possumus, nulla ullius harum rerum habita ratione, immunitate manifesto spoliare?'

τούτων] either=*τῶν Ἐπικέρδους εὐεργεσιῶν* (Westermann), or 'any of the above-mentioned circumstances that give a special value to his benefactions' (Weil). The latter view is preferable.

§ 47. **αὐτὸ δὴ τοῦτο**] 'It is in this very point that the atrocity lies'. *Aristocr.* 211 *ἀλλ' αὐτοῦ τ' ἔστι τὸ δεινόν*, *Aph.* i 38; Plato, *Gorg.* 511 B *οὐκοῦν τοῦτο δὴ καὶ τὸ ἀγανακτητόν*; these exx. are quoted by Shilleto on *F. L.* 130=120 p. 377 *τοῦτο γάρ ἐστι τὸ λαμπρόν*, where he draws attention to the article being joined with the *predicate*, and renders the present passage: '*the very quintessence of disgraceful conduct*': as it is subsequently expressed *πῶς οὐχ ὑπέρδεινον ποιησόμεν*;

τούτων] sc. *τῆς ἀτελείας*. With *ἄξια... εὖ πάσχειν*, cf. 119 *μεγάλα εὖ πάσχειν*, 123 *ἄξια τῆς ἀτελείας εὖ πεποιηκέναι* (West.).

ἀφαιρησόμεθα, πῶς οὐχ ὑπέρδεινον ποιήσομεν; ὁ αὐτὸς τοίνυν 48
ἐστί μοι λόγος οὗτος[1] καὶ περὶ τῶν τοὺς τετρακοσίους καταλυσάντων, καὶ περὶ τῶν ὅτ' ἔφευγεν ὁ δῆμος χρησίμους αὐτοὺς παρασχόντων· πάντας γὰρ αὐτοὺς ἡγοῦμαι δεινότατ' ἂν παθεῖν, εἴ τι τῶν τότε ψηφισθέντων αὐτοῖς λυθείη.

[1] οὗτος om. Blass, secutus Libanium iii 28, 2; 356, 26 ὁ αὐτὸς τοίνυν ἐ. μοι λ. καὶ περὶ—.

ὡς ἀναξίων] *ὄντων τῶν εὐεργετημάτων* (Wolf). *ἀναξίων* is neut. gen. abs. and refers to the benefits already described as having been *ἄξια* (*τῆς ἀτελείας*) in the opinion of those who received them. This is in accordance with Dobree's note: '*ὡς ἀναξ.* de ellipsi Porson. adv. p. 48. Sept. Theb. 233 Bl. Midian. p. 519, 5. addenda ad Porson. Aristoph. p. (126). Intelligebam sc. *ὡς ἀναξίων ὄντων ὧν ἐπάθομεν τηλικαύτης δωρεᾶς*'. It is not masc. gen. after *ἀφαιρεῖσθαι*, for after that verb Dem. prefers using the acc. of the person; and although it might be explained as masc. gen. abs., this would be out of harmony with the previous context; 'quamquam §§ 1, 120 *ἀνάξιοι* commemorantur, tamen hoc loco, ubi *ἄξια* opponitur, melius neutrius generis *ἀναξίων* esse intelligitur' (Voemel). In *Aristocr.* 89 (*ὡς γοῦν οὐδενὸς ἀξίων ἴδιόν τι γράφειν ἐπεχείρησε*), *ἀξίων* is the reading of the Paris MS S alone (followed by Baiter and Sauppe), and *ἀξίων ὄντων* is the text adopted by Weil. In the present passage Weil proposes *ἀνάξι' ὄντ'*, but this accusative, as remarked by Blass (Bursian's *Jahresb.* 1879 i 279), does not suit the construction of the context.

§ 48. **τοὺς τετρακοσίους**] The oligarchical revolutionists that preceded the Thirty and remained in power for four months until June, 411 B.C. (Curtius, iii 457 Ward). Thuc. viii 63—69; Lysias 12 §§ 65—67.

τῶν καταλυσάντων] Among the persons referred to was Thrasybulus of Calydon who hastened the downfall of the 400 by assassinating Phrynichus, one of the leaders of the extreme party among the oligarchs. His confederate in the plot was Apollodorus of Megara (Lysias 13 § 71). For this service the conspirators, who were foreigners belonging to the *περίπολοι* (Thuc. viii 92) in the pay of the 400, were presented with the citizenship (Lys. 13 § 72). In 1842 some fragments of an inscription were found at Athens, between the Propylaea and the statue of Agrippa, which were identified by Bergk as the record of the public proceedings with respect to these assassins (*Zeitschrift f. Alt.-Wiss.* 1847, p. 1099). In the first part of the inscription we have a proposal to honour Thrasybulus with a crown and public proclamation; and in the second, a proposal to grant him the citizenship and other honours, to consider what reward shall be assigned to Apollodorus, and to inscribe the names of several others on a list of benefactors and give them the right of holding property in Athens. From Lysias, *de olea sacra*, Or. 7 § 4, we learn that a farm which was part of the confiscated property of one of the 400, Pisander, was granted by the people to Apollodorus, doubtless for conspiring against Phrynichus. For the inscr. see CIA i 59; Hicks, *Manual*, no. 56; also Lysias, ed. Rauchenstein, i[8] p. 59.

ὅτ' ἔφευγεν ὁ δῆμος] The exiles of the democratical party, driven from Athens by the Thirty in B.C. 404, were not only hospitably received by individual citizens in Chalcis, Megara and Elis, but were also placed under public protection at Argos (Dem. 15 § 22) and at Thebes (Plut. *Lys.* 27). Among those who aided the constitutional party was the wealthy Theban Ismenias. On the same occasion Lysias, who had been driven to Megara by the murder of his brother Polemarchus at the hands of one of the Thirty, sent the exiles 2000 drachmae and 200 shields, levied at his own expense a band of 300 men, and induced his friend Thrasydaeus of Elis to lend them two talents. On the restoration a decree was passed presenting Lysias, who was only an *ἰσοτελής*, with the full privileges of citizenship; but the decree was afterwards rescinded on account of a technical objection (*vit. x orat.* p. 835 E). See also Lys. 31 § 29 *τοὺς μετοίκους ὅτι οὐ κατὰ τὸ προσῆκον ἑαυτοῖς ἐβοήθησαν τῷ δήμῳ.*

Possibly Dem. passes over the details respecting these benefactors, because they had already been dwelt upon in the speech of Phormion (51).

49 *Εἰ τοίνυν τις ὑμῶν ἐκεῖνο πέπεισται, πολὺ τοῦ δεηθῆναί τινος τοιούτου νῦν ἀπέχειν τὴν πόλιν, ταῦτα μὲν εὐχέσθω τοῖς θεοῖς, κἀγὼ συνεύχομαι, λογιζέσθω δὲ πρῶτον μέν, ὅτι περὶ νόμου μέλλει φέρειν τὴν ψῆφον, ᾧ μὴ λυθέντι δεήσει χρῆσθαι*[8]*, δεύτερον δ' ὅτι βλάπτουσιν οἱ πονηροὶ νόμοι καὶ τὰς ἀσφαλῶς οἰκεῖν οἰομένας πόλεις. οὐ γὰρ ἂν μετέπιπτε τὰ πράγματ' ἐπ' ἀμφότερα, εἰ μὴ τοὺς μὲν ἐν κινδύνῳ καθεστηκότας καὶ πράξεις χρησταὶ καὶ νόμοι καὶ ἄνδρες χρηστοὶ καὶ πάντ' ἐξητασμέν' ἐπὶ τὸ βέλτιον προῆγε,*

[8] 'Languida admodum et frigida haec sententia est ac paene inepta, *lege, quae antiquata non sit, uti oportere*, sed periit vocula necessaria sic explenda: *δεήσει χρῆσθαι ἀεί*, etiam ubi nolueris et contra remp. esse intellexeris' Cobet; cuius con-

§ 49. **τινος τοιούτου**] masc.

ταῦτα μὲν εὐχέσθω κ.τ.λ.] The orator gives an admirable turn to the sentence by using these words of good omen instead of the strong expression of disagreement with which we expect him to conclude (Wolf).

νόμου] not a mere *ψήφισμα*, but a law which we must live under if it is not annulled. For *χρῆσθαι*, cf. 91 *τοῖς ὑπάρχουσι νόμοις ἐχρῶντο, καινοὺς δ' οὐκ ἐτίθεσαν*.

βλάπτουσιν] *βλάπτειν* (though not from the same root as *λαμβάνω*) has in old Greek the special meaning of 'impeding', 'checking', 'arresting' (*Iliad* 6, 39; 7, 271; 16, 371; 23, 461, 545, 571). Hence it is combined with *φυγεῖν* in Soph. *El.* 697 *ὅταν δέ τις θεῶν βλάπτῃ, δύναιτ' ἂν οὐδ' ἂν ἰσχύων φυγεῖν*, and *Ajax* 455 *εἰ δέ τις θεῶν βλάπτοι, φύγοι τἂν χὠ κακὸς τὸν κρείσσονα*. Even in prose we have what may fairly be regarded as a reminiscence, possibly a half-unconscious reminiscence, of the older use of the word: as in Thuc. v 103 *ἐλπὶς δὲ κινδύνῳ παραμύθιον οὖσα, τοὺς μὲν ἀπὸ περιουσίας χρωμένους αὐτῇ, κἂν βλάψῃ, οὐ καθεῖλε* (even although she arrest them in their course, she does not lay them low)· *τοῖς δ' ἐς ἅπαν τὸ ὑπάρχον ἀναρριπτοῦσι, δάπανος γὰρ φύσει, ἅμα τε γιγνώσκεται σφαλέντων* (when they have been tripped up and brought to the ground), κ.τ.λ. Similarly in vii 68 *κινδύνων οὗτοι σπανιώτατοι οἱ ἂν ἐλάχιστα ἐκ τοῦ σφαλῆναι βλάπτοντες πλεῖστα διὰ τὸ εὐτυχῆσαι ὠφελῶσιν*. So here, we have *βλάπτουσιν* immediately followed by *ἀσφαλῶς*.

καὶ τὰς—πόλεις] 'even states that deem themselves to be dwelling in unshaken security'. The intr. sense of *οἰκεῖν* is often applied in Plato to the constitutional condition of a state; thus it is found with the adverb *βέλτιον* in *Rep.* 599 D, with *ἄκρως* 543 A, with *πῶς* 547 C, with *τίνα τρόπον* 557 A, 462 D *τοῦ τοιούτου ἐγγύτατα ἡ ἄριστα πολιτευομένη πόλις οἰκεῖ* (cf. 473 A), with *σωφρόνως* 423 A and *Charm.* 162 A, with *ἄριστα Legg.* 702 A.

οὐ γὰρ ἂν μετέπιπτε κ.τ.λ.] A characteristic sentence, remarkable for its highly elaborated structure. "Public affairs would never have been changing in both directions, i.e. revolutions would never have happened for better or for worse' (Kennedy), had not those who were in a state of peril been advanced to a better condition by excellent courses of action, by excellent laws and men, and by everything being in perfect order; and had not those (on the contrary), who appeared to be in a position of complete prosperity, been little by little undermined by the neglect of all these things".

ἐπ' ἀμφότερα] referring to constitutional changes for the better (as exemplified in the first of the two succeeding clauses), and for the worse (as exemplified in the second).

πάντ' ἐξητασμέν'] *Symm.* 7 *ἡ δύναμις τῆς πόλεως ἐξητασμένη καὶ παρεσκευασμένη*.—It is characteristic of Greek and Latin to prefer to use a passive participle in agreement with a substantive, instead of using the corresponding noun followed by the genitive, e.g. *πάντων ἐξέτασις*; and similarly below, *πάντα ταῦτ' ἀμελούμενα* for *πάντων τούτων ἀμέλεια*. The corresponding Latin idiom, as in *rex interfectus*, and *ademptus Hector*, is well known (Madvig, *L. G.* § 426 and Nägelsbach, *Stil.* § 30, 2); but (so far as I can find) it is not noticed in Kühner's *Gr.* Westermann refers to Krüger § 50, 11, 3 and 56, 10, 2.

472 τοὺς δ' ἐν ἁπάσῃ καθεστάναι δοκοῦντας εὐδαιμονίᾳ πάντα ταῦτ'[h] ἀμελούμεν' ὑπέρρει[1] κατὰ μικρόν. τῶν γὰρ ἀνθρώπων οἱ πλεῖστοι 50
κτῶνται μὲν τἀγαθὰ τῷ καλῶς βουλεύεσθαι καὶ μηδενὸς καταφρονεῖν, φυλάττειν δ' οὐκ ἐθέλουσι τοῖς αὐτοῖς τούτοις. ὃ μὴ πάθητε νῦν ὑμεῖς, μηδ' οἴεσθε νόμον τοιοῦτον θέσθαι δεῖν, ὃς καλῶς τε πράττουσαν τὴν πόλιν ἡμῶν[k] πονηρᾶς δόξης ἀναπλήσει, ἐάν τέ τι συμβῇ ποτ', ἔρημον τῶν ἐθελησόντων ἀγαθόν τι ποιεῖν[l] καταστήσει.

Οὐ τοίνυν μόνον, ὦ ἄνδρες Ἀθηναῖοι, τοὺς ἰδίᾳ γνόντας εὖ ποιεῖν 51
ὑμᾶς καὶ παρασχόντας χρησίμους αὐτοὺς ἐπὶ τηλικούτων καὶ τοιούτων καιρῶν, οἵων μικρῷ πρότερον Φορμίων διεξελήλυθε κἀγὼ νῦν εἴρηκα, ἄξιόν ἐστιν εὐλαβηθῆναι ἀδικῆσαι, ἀλλὰ καὶ πολλοὺς ἄλλους, οἳ πόλεις ὅλας, τὰς ἑαυτῶν πατρίδας, συμμάχους ὑμῖν[m] ἐπὶ τοῦ πρὸς Λακεδαιμονίους πολέμου παρέσχον, καὶ λέγοντες ἃ συμφέρει τῇ πόλει τῇ ὑμετέρᾳ καὶ πράττοντες· ὧν ἔνιοι διὰ τὴν πρὸς

iectura propter hiatum sine causa admissum repudianda est. [h] ταῦτα fortasse delendum (Dobree). [1] ὑπήρειπε Herwerden. [k] ἡμῶν S, vulg.: ὑμῶν L (z); ὑμῖν Felicianus. [l] ποιεῖν S: ποιεῖν αὐτὴν L et vulg. (B). [m] ὑμῖν G. H. Schaefer (V W Wr Bl): ἡμῖν S L, et vulgo.

ὑπέρρει] 'slipped from under them and so undermined them', Shilleto on *F. L.* p. 412 *ἡδ' ἑφ' ἑκάστου τούτων ἁμαρτία κατὰ μικρὸν ὑπορρέουσα ἀθρόος τῇ πόλει βλάβη γίγνεται.* 'Bene et ad analogiam sermonis apte res dici potest *ὑποῤῥεῖν τι* (h. e. *ῥεῖν ὑπό τι*,) quae aliam rem *subterlabitur* et ita facit, ut ea subsidat deque statu suo dejiciatur' (Wolf). Lobeck on *Ajax* 82, *ἐξέστην* c. acc., observes 'similiter *ὑπορρεῖν* et *ὑπεκρεῖν* usurpatur ut latinum *subterfluere* pro subterfugere apud Demosthenem et Plutarchum'. Kühner, ii 253.

L and S think it 'probable that there is an anacoluthon, *ὑπορρεῖ* being substituted by the speaker for some transitive verb'; but the sentence as a whole seems constructed with too great care to admit of such an explanation of this particular word.

§ 50. **κτῶνται...φυλάττειν**] *Ol.* i 23 *πολλάκις δοκεῖ τὸ φυλάξαι τἀγαθὰ τοῦ κτήσασθαι χαλεπώτερον εἶναι.* But conversely, *Ol.* ii 26 *πολὺ ῥᾷον ἔχοντας φυλάττειν ἢ κτήσασθαι πάντα πέφυκεν* (West.).—**μηδενὸς**, neut. cf. *πάντα ταῦτ' ἀμελούμενα.*

ἃ μὴ πάθητε νῦν] 167. **νόμον θέσθαι**, §§ 4, 14. **ἀναπλήσει**, 28.

ἐάν τι συμβῇ] euphemistically contrasted with *καλῶς πράττουσαν*, as in *Ol.* ii 15. Similarly *εἴ τι γένοιτο* in *Phil.* iii 18, and *de Cor.* 168. *εἴ τι πάθοι* in *Phil.* i 12, *Aristocr.* 12. Cf. ib. 59 and *Conon* 25.

§ 51. **οἵων**] for *οἵους*, Kühner, ii 912. **Φορμίων**, the previous speaker. See *Introd.* § 5, p. xxiv.

τοῦ πρὸς Λακ. πολέμου] The reference is primarily to the war between the Lacedaemonians and the allied Athenians, Boeotians, Argives and Corinthians, usually called the Corinthian War (395—387); to that war belongs the incident related in the next two sections; and to the same period, the event mentioned in § 60. But in § 59 we have an incident of the Peloponnesian War, which is probably inserted at that place because it had several points in common with that recounted in § 60. Weil and Rosenberg prefer giving the words a more 'general' sense, so as to include all the struggles between Athens and Sparta between the beginning of the Peloponnesian War and the Peace of Antalcidas. In *Androt.* 15, immediately after mentioning the Decelean War, Dem. refers to what he calls *τὸν πρὸς Λακ. πόλεμον* where he clearly means the 'Corinthian War'.

ἃ συμφέρει] The present tense indicates that which was present at the past time indicated by *παρέσχον*. After

52 ὑμᾶς εὔνοιαν στέρονται τῆς πατρίδος. ὧν ἐπέρχεταί μοι πρώτους ἐξετάσαι τοὺς ἐκ Κορίνθου φεύγοντας[n]. ἀναγκάζομαι δὲ λέγειν πρὸς ὑμᾶς ταῦτα, ἃ παρ' ὑμῶν τῶν πρεσβυτέρων αὐτὸς ἀκήκοα. τὰ μὲν οὖν ἄλλ' ὅσα χρησίμους ὑμῖν[m] ἑαυτοὺς ἐκεῖνοι παρέσχον, ἐάσω· ἀλλ' ὅθ' ἡ μεγάλη μάχη πρὸς Λακεδαιμονίους ἐγένεθ', ἡ ἐν Κορίνθῳ, τῶν ἐν τῇ πόλει βουλευσαμένων μετὰ τὴν μάχην μὴ δέχεσθαι τῷ τείχει τοὺς στρατιώτας, ἀλλὰ πρὸς Λακεδαιμονίους
53 ἐπικηρυκεύεσθαι, ὁρῶντες ἠτυχηκυῖαν τὴν πόλιν καὶ τῆς παρόδου κρατοῦντας Λακεδαιμονίους, οὐχὶ προὔδωκαν οὐδ' ἐβουλεύσαντ' 473
ἰδίᾳ περὶ τῆς αὑτῶν σωτηρίας, ἀλλὰ πλησίον ὄντων μεθ' ὅπλων

[n] φεύγοντας F, et Cobet (W Wr Bl): φυγόντας. Fortasse delendum esse censet Blass, coll. Aristid. i 180 Dind.

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the aorist, we might have had the optative ἃ συμφέροι (*quae utilia essent*) in the relative clause; but here, as in *Phil.* ii 7, the indicative is preferred. Similarly 18 § 220 ἃ δεῖ. 18 § 172 and 19 § 34 ὅ τι χρὴ ποιεῖν. 22 § 66 ὑπὲρ ὧν ἡ πόλις πάσχει. 4 § 46 ὅσα βούλεσθε (West., and Rehdantz *index* ii, s. v. *Präsens*).

§ 52. **ἐξετάσαι**] 'to pass in review', 58.

ἀναγκάζομαι—ἀκήκοα] It is characteristic of a comparatively young orator to apologise for referring to historical facts which are better known to some of his audience than to himself. It is also in conformity with oratorical custom modestly to appeal to the authority of the older men in the audience (Weil). Cf. *Androt.* 15 (of the Decelean War) τῶν ἀρχαίων ἔν, ὃ πάντες ἐμοῦ μᾶλλον ἐπίστασθε, ὑπομνήσω. It will further be observed that Demosthenes relies on current statements for his historical facts, and disclaims all reference to written sources of information. The events he is on the point of mentioning are described in Xenophon's *Hellenica;* but that work was probably not published until after 357, the date of the assassination of Alexander of Pherae, which is recorded in vi 4 § 33. If it was not published until 355, Demosthenes may not have read it before composing his speech. His description does not exactly tally with that of the historian (see note on ἀνέῳξαν, below), and there is every probability that the statement, that he had heard of the events from some of his elders, is strictly true. A young man of twenty, who was present at the battle of Corinth, would be of the age of sixty at the date of the delivery of this speech, and would be twice the age of Demosthenes at the time.

ἡ μεγάλη μάχη] The 'battle of Corinth', fought by the Nemean brook between Corinth and Sicyon about the middle of the summer of 394 B.C. Xen. *Hell.* iv 2 § 18; *Ages.* 7 § 5 ἡ ἐν Κ. μάχη; Lys. 16 § 15. 'The heavy-armed infantry probably numbered about 20,000 men on either side' (Diodor. xiv 83). Curtius, *H. G.* Bk. v chap. iv, IV 234 Ward. The public monument in honour of the eleven (out of the 600) horsemen who fell in the battle was seen by Pausanias on the road from the Dipylon to the Academy (i 29 § 8) and has been recently discovered (Hicks, no. 68, cf. 69).

τῶν ἐν τῇ πόλει] The oligarchical party in Corinth who looked with disfavour on the alliance with Athens and, encouraged by the success of the Lacedaemonian troops, shut the gates in the face of the defeated Athenians and their allies (τοὺς στρατιώτας). Xen. *l. c.* § 23 οἱ ἡττῶμενοι τὸ μὲν πρῶτον ἔφευγον πρὸς τὰ τείχη· ἔπειτα δ' εἰρξάντων (restored by Schneider and subsequent editors with the help of the present passage, instead of the manuscript reading ἀρξάντων) Κορινθίων πάλιν κατεσκήνωσαν εἰς τὸ ἀρχαῖον στρατόπεδον.

§ 53. **ὁρῶντες**] 'although they saw', *de Cor.* 43 πολεμοῦμενοι, and 142 ἔχων.

τὴν πόλιν] Athens. **τῆς παρόδου**, the narrow approach between Corinth and the harbour at Lechaeum. The same word is used of the narrow pass of Thermopylae, [Lysias] 2 § 32 τῶν δὲ τῆς παρόδου κρατησάντων.

πλησίον—Πελοποννησίων] 'although all the Peloponnesians were close at hand'.

ἁπάντων Πελοποννησίων ἀνέῳξαν τὰς πύλας ὑμῖν[m] *βίᾳ τῶν πολλῶν*[o]*, καὶ μᾶλλον εἵλοντο μεθ' ὑμῶν τῶν τότε στρατευσαμένων, εἴ τι δέοι, πάσχειν, ἢ χωρὶς ὑμῶν ἀκινδύνως σεσῶσθαι, καὶ εἰσέφρουν*[p] *τὸ στράτευμα, καὶ διέσωσαν καὶ ὑμᾶς καὶ τοὺς συμμάχους. ἐπειδὴ δ' ἡ*[q] *πρὸς Λακεδαιμονίους εἰρήνη μετὰ ταῦτ'* 54 *ἐγένεθ', ἡ ἐπ' Ἀνταλκίδου*[r]*, ἀντὶ τῶν ἔργων τούτων ὑπὸ Λακεδαι-*

[o] πολιτῶν Weil. [p] 'De verbo εἰσφρέσθαι et ἐπεισφρέσθαι diligenter exposui in *Var. Lect.* p. 775 sqq. ubi h. l. restituendum esse εἰσεφροῦντο τὸ στράτευμα ostendimus, ut apud Euripidem legitur in *Troad.* 653, εἴσω μελάθρων κομψὰ θηλειῶν ἔπη οὐκ εἰσεφρούμην et in *Cyclope* 235, τοὺς ἄρνας ἐξεφροῦντο' Cobet. [q] ἡ L A (Bl): om. S vulg. [r] αντιαλκίδου S^1 L^1. 'Eruditi lectoris annotatiuncula est ἡ ἐπὶ Ἀνταλκίδου. Non est oratoris talia commemorare, et nihil omnino facit ad rem. Hoc unum agit Demosthenes ut ostendat cives Corinthios de Atheniensibus optime meritos ob id ipsum post pacem compositam a Lacedaemoniis esse patria expulsos. Quid tandem attinebat narrare hanc pacem esse τὴν ἐπ' Ἀνταλκίδου?' Cobet (w). Servat Blass, collato Aristid. i 723 καὶ πάλιν τῆς εἰρήνης γενομένης τῆς ἐπὶ Ἀνταλκίδου.

The sense is misunderstood in Breitenbach's note to Xen. *l. c.*, '(Dem. narrat) exsules Corinthios magna Peloponnesiorum multitudine adiutos invita plebe urbis muros patefecisse'. The Peloponnesians are, of course, the Lacedaemonians and their allies, but *ἁπάντων* is a manifest exaggeration. The list in Xen. *l. c.* § 16 shews that the Lacedaemonians were supported by troops from Elis and the neighbourhood, from Sicyon, and from Epidaurus, Troezen, Hermione and Halieis. Tegea, Mantinea and Achaia are mentioned on the same side in § 13. On the other side there was the important state of Argos in alliance with Athens, and represented by 7000 hoplites.

ἀνέῳξαν—τὸ στράτευμα] This account does not agree with that of Xenophon, *l. c.* 23, who states that the losing side attempted to escape to the walls of Corinth; but, being excluded from the city, pitched their tents once more at their former encampment; while the Lacedaemonians withdrew to the point where they first engaged with the enemy and there set up a trophy. As suggested by Weil, it was doubtless on the next day, or during the following days, that the democratic party, having recovered from their alarm, gained the upper hand in the city and opened the gates to the army. 'It was not till after some time had passed', says Curtius, *l. c.* 235, 'that the fugitive bands succeeded in forcing an entrance and reaching a safe retreat behind the walls'. It is supposed by Grote (II Chap. 74) that some of the Athenian forces had effected an entrance before the gates were closed.

βίᾳ τῶν πολλῶν] 'in spite of the majority', i.e. the Laconian party. But if the latter were in the majority, it is strange that they did not hold their own. It is probably this feeling that has led to Weil's very plausible emendation *βίᾳ τῶν πολιτῶν*, 'in spite of their fellow-citizens'.

ὑμῶν] partitive gen., depending on *τῶν—στρατευσαμένων*, and not on *μετά*. Below, in *χωρὶς ὑμῶν*, the speaker regards the audience as the representatives of those who actually took the field.

εἰσέφρουν] Harpocr. εἰσφρῆσειν: *ἀντὶ τοῦ εἰσάξειν, εἰσδέξεσθαι· Ἀντιφῶν καὶ Δημοσθένης ἐν η' Φιλιππικῷ* [Or. 8 *Chers.* § 15 *τούτους εἰσφρήσεσθαι μᾶλλον ἢ 'κείνῳ παραδώσειν τὴν πόλιν*]. *πολὺ δὲ τοὔνομα ἐν τῇ ἀρχαίᾳ κωμῳδίᾳ* [Ar. *Vesp.* 893 *εἴ τις θύρασιν ἡλιαστής, εἰσίτω· ὡς ἡνίκ' ἂν λέγωσιν, οὐκ ἐσφρήσομεν*, Com. Fragm. 4, 651 *φρές*]. Cf. *Vesp.* 162 *ἔκφρες* and 156 *ἐκφρήσει*', *Av.* 193 *διαφρήσετε*, Eur. *Phoen.* 264 *ἐκφρῶσ'*, *Alc.* 1056 *ἐπεισφρῶ*, Thuc. vii 32 § 1 *ὅπως μὴ διαφρήσουσι* (Bekk. Dobr. Dind.) *τοὺς πολεμίους*, and in the middle voice *Tro.* 653 *εἰσεφρούμην*, *Cycl.* 235 *ἐξεφροῦντο*. The impf. active is found only in Ar. *Vesp.* 125 *ἐξεφρίομεν* (Bekk.), *ἐξεφρείομεν* (Dind. Bergk). The impf. middle has better authority, but this does not appear to be sufficient reason for making the slight alteration *εἰσεφροῦντο* proposed by Cobet *M. C.* 496 and *V. L.* 575.

§ 54. **ἡ ἐπ' Ἀνταλκίδου**] The peace negotiated by the authority of Antalcidas. Xen. *Hell.* v 1 § 36 *ἐκ τῆς ἐπ' Ἀντ. εἰρήνης καλουμένης*, Plut. *Artax.* 21 § 4 *τὴν περιβόητον εἰρήνην τὴν*

μονίων ἐξέπεσον. ὑποδεξάμενοι δ' ὑμεῖς αὐτοὺς ἐποιήσατ' ἔργον ἀνθρώπων[s] *καλῶν κἀγαθῶν· ἐψηφίσασθε γὰρ αὐτοῖς ἅπανθ' ὧν ἐδέοντο. εἶτα ταῦτα νῦν εἰ χρὴ κύρι' εἶναι σκοποῦμεν; ἀλλ' ὁ λόγος πρῶτον*[t] *αἰσχρὸς τοῖς σκοπουμένοις*[u]*, εἴ τις ἀκούσειεν ὡς*

[s] *ἀνθρώπων*, post *κἀγαθῶν* in Vind. 1 positum, delere vult Blassius, collato § 56. [t] *πρῶτον* malebat deesse Sauppius, collato § 60 *ἀλλ' αἰσχρὸν ἂν εἴη. αὐτὸς* coniecit olim Westermannus (*Zeitschr. Alt.* p. 586), *πρὸς θεῶν* Rauchenstein, *Jahrb. f. Phil.* 1867 p. 460. Quondam putavi in *πρῶτον* latere fortasse *πῶς οὐκ*, coll. §§ 9, 12, 59. *πρῶτον* servat Bl, collato Aristid. i 632 *αἰσχρὸν γὰρ ἐάν τις ἀκούσῃ τοῦτο πρῶτον, ὅτι Ἀθηναῖοι φοβοῦνται.* [u] *τοῖς σκοπουμένοις* fortasse delendum esse olim existimavit Dobree, idem censet Cobet; *τοῖς οὑτωσὶ σκ.* conicit Weil, coll. § 18. [v] *προσῆκεν* vulg. (D V W Bl): *προσήκει* S^1 (recentior *ει*

ἐπ' Ἀντ. προσαγορευομένην. Thuc. v 18 *τὸν φόρον τὸν ἐπ' Ἀριστείδου* and vi 5 *τὴν ἐπὶ Λάχητος γενομένην συμμαχίαν* (West.). Kühner ii 431; *inf.* 126 *ἐπ ἀνθρώπου humana auctoritate.*

The terms of the peace were as follows: *Ἀρταξέρξης βασιλεὺς νομίζει δίκαιον τὰς μὲν ἐν τῇ Ἀσίᾳ πόλεις ἑαυτοῦ εἶναι καὶ τῶν νήσων Κλαζομενὰς καὶ Κύπρον, τὰς δὲ ἄλλας Ἑλληνίδας πόλεις καὶ μικρὰς καὶ μεγάλας αὐτονόμους ἀφεῖναι πλὴν Λήμνου καὶ Ἴμβρου καὶ Σκύρου· ταύτας δὲ ὥσπερ τὸ ἀρχαῖον εἶναι Ἀθηναίων. ὁπότεροι δὲ ταύτην τὴν εἰρήνην μὴ δέχονται, τούτοις ἐγὼ πολεμήσω μετὰ τῶν ταῦτα βουλομένων καὶ πεζῇ καὶ κατὰ θάλατταν καὶ ναυσὶ καὶ χρήμασιν* (Xen. *Hell.* v 1 § 31). B.C. 387. See § 60.

ἐξέπεσον, being used instead of the aor. pass. of *ἐκβάλλω*, is constructed with *ὑπὸ* (Kühner ii 452). Lys. 13 § 77 *τῶν ὑπὸ τούτου ἐκπεπτωκότων*. Similarly with the intransitive verbs *ἀποθνήσκω* and *φεύγω*.

καλῶν κἀγαθῶν] In good Greek *καλὸς κἀγαθός* is always written as two words, neither as three, nor as one. But the parathetic form becomes synthetic in the derivatives *καλοκαγαθία* and *καλοκαγαθεῖν* (Cobet *N. L.* 323, 394). Hence there is a slight inaccuracy in the Greek quoted by Coleridge in his will (Sept. 1829): 'John Hookham Frere who of all men that I have had the means of knowing during my life, appears to me eminently to deserve to be characterized as *ὁ καλὸς κἀγαθὸς ὁ φιλόκαλος*'. Similarly in Newman's *Historical Sketches* p. 81 (of the Athenians): 'Their model man, like the pattern of chivalry, was a gentleman, *καλοκἀγαθός*'.

ἅπανθ' ὧν ἐδέοντο] probably similar honours to those conferred on some of the Byzantines in § 60, *προξενίαν, εὐεργεσίαν, ἀτέλειαν ἁπάντων.*

ὁ λόγος, *ea res, de qua loquimur. Statim hoc ipsum vobis turpe erit, si rumor vulgaverit Atheniensis consultare* (Wolf). The scholiast (approved by Benseler) explains *ὁ λόγος* by *τὸ νόημα*. Schaefer more satisfactorily understands it of 'the mention of the fact'.

πρῶτον, 'to begin with', 'at the very outset', 'at the first blush', before going into further particulars. We expect this to be followed by *δεύτερον* or *ἔπειτα*, but the only equivalent we find is in *ὅρα δ'* in the second line of the next section. 'The Athenians are deliberating whether they ought to allow men, who have deserved well of them, to retain the reward of the services they have rendered. Why! that is already shameful! But, continues the orator, those who know the full extent of those services will find that deliberation doubly shameful' (Weil).

πρῶτον = εὐθύς, statim (says Reiske); *confestim* (Wolf, less satisfactorily); *= primum*, G. H. Schaefer, who attributes the absence of the second point to the interruption caused by the reading of the decrees (cf. § 68). This is improbable, says Westermann, who considers the parallel quoted to be irrelevant, no less than the passages in *Halon.* § 7, *Androt.* § 22, *Aristocr.* § 196, *Timocr.* § 34, where *πρῶτον*, though not actually followed by *δεύτερον* or *ἔπειτα*, is nevertheless followed by an equivalent in sense. In § 68 *πρῶτον* includes everything as far as § 75 where *ἀλλὰ νὴ Δία* does duty instead of *δεύτερον*.

τοῖς σκοπουμένοις] either (middle) 'in the eyes of those who consider the matter', i.e. uninterested lookers-on, other than the Athenians (West.), 'or 'to those who are considering this matter', i.e. the Athenians (*σκοπεῖσθαι* is found in the middle sense in *Ol.* i 14, ii 4, 12; *Phil.* iii 69); or (passive) 'in the matter under consideration'. The last is the view

Ἀθηναῖοι σκοποῦσιν, εἰ χρὴ τοὺς εὐεργέτας ἐὰν τὰ δοθέντ' ἔχειν. πάλαι γὰρ ἐσκέφθαι ταῦτα καὶ ἐγνῶσθαι προσῆκεν[v]*. ἀνάγνωθι*[x] *καὶ τοῦτο τὸ ψήφισμ' αὐτοῖς.*

ΨΗΦΙΣΜΑ.

Ἃ μὲν ἐψηφίσασθε τοῖς φεύγουσιν[y] *δι' ὑμᾶς Κορινθίων ταῦτ'* 55
ἐστίν, ὦ ἄνδρες δικασταί. ὅρα[z] *δ', εἴ τις ἐκείνους τοὺς καιροὺς εἰδὼς*[a] *ἢ παρὼν ἤ τινος εἰδότος*[b] *διεξιόντος ἀκούσας, ἀκούσαι τοῦ νόμου τούτου τὰς τότε δωρειὰς δοθείσας ἀφαιρουμένου, ὅσην ἂν κακίαν*

mutavit in *εν*), et L. [x] *ἀνάγνωθι* S L : *ἀ. δέ μοι* vulg. (B 1824). [y] *φεύγουσιν* S (V Bl) : *φεύγουσι* cet. [z] *ὅρα* S solus : *ὁρᾶτε* L et vulg. (B 1824). [a] *ἰδὼν* S L et vulg. : *εἰδὼς* A (W Wr), quod grammatici quidem coniecturam sed eandem bonam appellat Weil, coll. § 47. 'Haec ita dicuntur quasi quis duobus modis illa tempora *videre* potuerit *ἢ παρὼν ἢ ἀκούσας*. Quod quum sit absurdum pro *ἰδών* ex nonnullis libris *εἰδώς* est restituendum. Saepe *εἰδώς* et *ἰδών*, *εἰδότες* et *ἰδόντες* inter se mutant locum' Cobet. 'Immo *ἰδὼν παρὼν* vel *ἢ ἰδὼν παρὼν*' Z. [*ἢ παρὼν*] 'scholiasta de *παρὼν* omnino tacet' Blass. Fortasse scribendum *εἰδὼς παρὼν*. [b] *εἰδότος*] *ἰδόντος* Dobree.

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taken by Dr Kennedy in *Journal of Philology* v 86: "It is strange (he says) that commentators and translators should so long have been content in this place to assume that *σκοπουμένοις* is Middle, and used (contrary to the practice of Demosthenes) in exactly the same sense as the Active form which twice appears in the sentence; while *ἐσκέφθαι* afterwards is Passive. Perhaps they would plead that Demosthenes uses *σκοπουμένοις* to avoid the confusion between *σκοποῦσιν* Partic. and the *σκοποῦσιν* (Verb) which follows. On every ground it must be clear that *σκοπουμένοις* is Passive and Neuter (Dative of Respect); and that the true version is: 'And are we then now considering whether these grants ought to remain in force? Why, the question, at the outset, is disgraceful *in the very subject-matter of consideration*, were any one to hear that Athenians are considering *whether they should allow their benefactors to keep their gratuities*. For this point ought to have been considered and resolved long ago'." For the Passive use, Dr Kennedy quotes Plato, *Leg.* vi 772 D *σκοπῶν καὶ σκοπούμενος ὑπ' ἄλλων*. The words are bracketed by Dobree and Cobet, *M. C.* 497, who explains what remains as = *πρῶτόν ἐστιν αἰσχρὸν καὶ λέγειν*.

εἴ τις ἀκούσειεν] an expansion of ὁ λόγος. The scornful emphasis on *σκοποῦσιν* reminds one of the similar effect produced by the reiteration of the equivalent German verb in Lessing's *Nathan der Weise*, l. 1500,

(*Nathan*) Doch, Al-Hafi, will
Ich's überlegen. Warte... (*Al-Hafi*) Ueberlegen?
Nein, so was überlegt sich nicht...
Wer überlegt, der sucht
Bewegungsgründe, nicht zu dürfen.

ἐσκέφθαι] The passive use is found in Thuc. vii. 62 *ἐσκεμμένα* and in *Mid.* 191 *ἐσκεμμένα καὶ παρεσκευασμένα*, followed in the next § by the middle use of *ἐσκέφθαι* and by *σκοπεῖν*. *ἐσκεμμένος* is middle in *Ol.* i § 1, and *ἐσκέφθαι* (passive) is followed by *σκοπεῖτε* in Or. 15 *Rhod.* 25. *σκόπει* and *ἔσκεμμαι* occur in Plato, *Euthyd.* 283 C; and *σκοπεῖτε* and *ἔσκεπται* in *Rep.* 369 B. The present and impf. of this verb are formed from *σκοπω*, while the future, perfect, plupf. and aorist are formed from *σκέπτομαι*.

§ 55. **τοῖς φεύγουσιν**] 'those of the Corinthians who for your sake *were in exile*'. Cf. § 52.

ὅρα] vividly used as in § 21.

εἰδὼς] For the general sense of the context, cf. *Phil.* i 3 *καὶ παρ' ἄλλων ἀκούουσι καὶ τοῖς εἰδόσιν αὐτοῖς ἀναμιμνησκομένοις*. **διεξιόντος**, 'having heard someone who knew (those critical times) tell the story of them'. **ἀκούσας, ἀκούσαι**. The repetition is meant to emphasize the contrast between the crisis in which the benefit was conferred, and its ungrateful requital at the present time.

τῶν θεμένων τὸν νόμον καταγνοίη, οἳ παρὰ μὲν τὰς χρείας οὕτω φιλάνθρωποι καὶ πάντα ποιοῦντες, ἐπειδὴ δ' ἐπράξαμεν πάνθ' ὅσ' ἂν εὐξαίμεθα, οὕτως ἀχάριστοι καὶ κακοί, ὥστε τούς τ' ἔχοντας ἀφῃρήμεθα, καὶ τὸ λοιπὸν μηδενὶ δοῦναι ταῦτ' ἐξεῖναι νόμον τεθεί-
58 καμεν. νὴ Δί' ἀνάξιοι γάρ τινες τῶν εὑρημένων ταῦτ' ἦσαν· τουτὶ 474
γὰρ παρὰ πάντ' ἔσται τὸν λόγον αὐτοῖς. ἔπειτ' ἐκεῖνο ἀγνοεῖν φήσομεν, ὅτι τὴν ἀξίαν, ὅταν διδῶμεν, δεῖ σκοπεῖν, οὐ μετὰ ταῦθ' ὕστερον χρόνῳ παμπληθεῖ. τὸ μὲν γὰρ ἐξ ἀρχῆς τι μὴ δοῦναι γνώμῃ χρησαμένων ἔργον ἀνθρώπων ἐστί, τὸ δὲ τοὺς ἔχοντας ἀφαιρεῖσθαι φθονούντων· τοῦτο δ' οὐ δεῖ δοκεῖν ὑμᾶς πεπονθέναι.
57 καὶ μὴν οὐδ' ἐκεῖν' ὀκνήσω περὶ τῆς ἀξίας αὐτῆς πρὸς ὑμᾶς εἰπεῖν. ἐγὼ γὰρ οὐ τὸν αὐτὸν τρόπον νομίζω πόλει τὸν ἄξιον ἐξεταστέον εἶναι καὶ ἰδιώτῃ· οὐδὲ γὰρ περὶ τῶν αὐτῶν ἡ σκέψις. ἰδίᾳ μὲν γὰρ ἕκαστος ἡμῶν σκοπεῖ, τίς ἄξιός ἐστιν ἑκάστου κηδεστὴς ἢ τῶν τοιούτων τι γίγνεσθαι, ταῦτα δὲ καὶ νόμοις τισὶν καὶ δόξαις

τῶν θεμένων] sc. *ἡμῶν*, gen. after *καταγνοίη*, 17 § 29 *κατεγνώκασι...τῆς πόλεως ἔκλυσιν καὶ μαλακίαν*. See L and S s. v. II, Kühner II 347. **παρά**, 44.

φιλανθρωποι καὶ παντα ποιοῦντες] 'humane (liberal) and complaisant', lit. 'ready to do everything' (cf. 54 *ἐψηφίσασθε...ἅπανθ' ὧν ἐδέοντο*). The latter phrase occurs in the slightly different sense of 'leaving no stone unturned' in *Mid.* 2.

κακοί] sc. *ἐσμέν*. *De Cor.* 268 *τοιοῦτος κ.τ.λ.* sc. *εἰμί*. *Phil.* I 29 *ἕτοιμος*. This ellipse is far more common in the third person (Rehdantz, index i, *Copula*).

τεθείκαμεν] Instead of the active, which is regularly used of the legislator, we should expect the middle to be (as usual) applied to the sovereign people. Here the people is represented as not merely getting a law passed by someone acting on its behalf, but as being itself responsible for this act of legislation.

§ 56. **νὴ Δί' ἀνάξιοι γὰρ**] 'I shall be told it is because certain of those who obtained these rewards were unworthy'. *Aristocr.* 166 *οὐδὲ γὰρ τοῦτό γ' ἂν εἴποι τις, "νὴ Δί' ἀμυνόμενος γὰρ ὑπὲρ τοῦ μὴ παθεῖν ἐποίει τι κακόν"* (West.).

παρὰ πάντα τὸν λόγον, 'that will run through their whole argument' Kennedy. Dem. is himself constantly mentioning this point, e.g. in § 1.

ἔπειτ'] 'if we admit this objection, we shall, in the next place, be avowing our ignorance of the well-known principle that we ought to consider a man's deserts at the time when we give him a gift and not an immense time after'. Weil points out that the orator is continuing the ironical tone of the opening words of the section. But Wolf, Voemel and Blass (perhaps rightly) make the sentence interrogative.

τὸ μὲν γὰρ] 'For to have refused to give something in the first instance is a deed characteristic of men who then exercised prudence; whereas to be depriving those who have (the gifts) is (characteristic) of men who are (now) envious'.

πεπονθέναι] to be the victims of the passion of envy. *φθόνος* is analysed among the *πάθη* in Ar. *Rhet.* ii 10.

§ 57. **ἐκεῖν'**, followed here, as often, by the 'inchoative' use of *γάρ*.

τὸν ἄξιον, 'the man of worth', expressed below by *τίς ἄξιός ἐστιν*. **πόλει** contrasted, as often, with *ἰδιώτῃ*.

κηδεστής, a connexion by marriage; here probably, 'a son-in-law', *τῶν τοιούτων τι* referring to similar connexions such as that of mother-in-law or father-in-law. Weil suggests that the latter may include cases of 'adoption'.

νόμοις...δόξαις] '*νόμοι* et *leges* et *consuetudines* sunt, *δόξαι opiniones* et *judicia* hominum. Quae utraeque res quomodo respiciantur in affinitatibus jungendis, per se patet...Non male respondent quae sequuntur, *γένει καὶ δόξῃ*, siquidem *γένος* ad *νόμους* pertinet. Sunt enim leges de nuptiis legitimis' (Wolf). To make a marriage legitimate it was necessary for both parties to be Athenians by birth. The marriage had also to be preceded

διώρισται· κοινῇ δ' ἡ πόλις καὶ ὁ δῆμος, ὅστις ἂν αὐτὸν εὖ ποιῇ καὶ σῴζῃ, τοῦτο δ' οὐ γένει καὶ δόξῃ[c] κρινόμενον ἴδοι[d] τις ἄν, ἀλλ' ἔργῳ. ὅταν μὲν οὖν εὖ πάσχειν δέῃ, τὸν βουλόμενον εὖ[e] ποιεῖν ἡμᾶς ἐάσομεν, ἐπειδὰν δὲ πάθωμεν[f], τότε τὴν ἀξίαν τοῦ ποιήσαντος σκεψόμεθα; οὐκ ἄρ' ὀρθῶς βουλευσόμεθα.

'Αλλὰ νὴ Δία οὗτοι μόνοι τοῦτο πείσονται, καὶ περὶ τούτων 58
μόνων ποιοῦμαι λόγον τοσοῦτον. πολλοῦ γε καὶ δέω. ἀλλὰ πάντας μὲν οὐδ' ἂν ἐγχειρήσαιμ' ἐξετάζειν, ὅσοι πεποιηκότες ὑμᾶς εὖ διὰ τὸν νόμον, εἰ μὴ λυθήσεται, τὰ δοθέντ' ἀφαιρεθήσονται· ἓν δ' ἢ δύο δείξας ἔτι ψηφίσματ' ἀπαλλάττομαι τοῦ περὶ τούτων λέγειν. τοῦτο μὲν τοίνυν Θασίους τοὺς μετ' Ἐκφάντου, πῶς οὐκ 59

[c] δόξῃ δρῴῃ τις hiatus vitandi causa coniecit Weil. [d] ἴδοι S[1]: κρινόμενον ἴδοι L al., vulg. (B 1824); idem revocat Bl, collato Aristid. ii 524 Dind., πρὸς τὴν ἀξίαν εὑρεθήσεται τὰ τοιαῦτα κρινόμενα, 'ut putes illum lectionem codicis L habuisse. Eadem etiam numeris convenit, nisi quod -νον syllaba brevis est pro longa' (Blass).
[e] εὖ propter tres breves antecedentes seclusit Bl. [f] εὖ πάθωμεν L F.

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either by a formal betrothal (*ἐγγύησις*) of the bride to the bridegroom, on the part of the *κύριος*, or legal representative, of the bride; or (in the event of the bride having no brothers) by an adjudication (*ἐπιδικασία*) of the daughter of the house to the nearest male relative.

δόξαις] 'the opinions and judgment of individuals, for example that a suitor is too poor and obscure, &c.' (Beatson). For a commentary on this, compare (with Westermann) Lysias 19 §§ 12—17, where other considerations than those of wealth come into question in the choice of a son-in-law.

δῆμος] sc. *σκοπεῖ*. For the sense of the subsequent context, Beatson quotes Thuc. ii 37 § 1 *κατὰ δὲ τὴν ἀξίωσιν, ὡς ἕκαστος ἔν τῳ εὐδοκιμεῖ, οὐκ ἀπὸ μέρους τὸ πλεῖον ἐς τὰ κοινὰ ἢ ἀπ' ἀρετῆς προτιμᾶται, οὐδ' αὖ κατὰ πενίαν, ἔχων δέ τι ἀγαθὸν δρᾶσαι τὴν πόλιν, ἀξιώματος ἀφανείᾳ κεκώλυται.*

ἐάσομεν] The position of *εὖ ποιεῖν* allows it to be taken primarily with *τὸν βουλόμενον* and also to be readily understood with *ἐάσομεν*.

σκεψόμεθα...βουλευσόμεθα] *ὁμοιοτέλευτον*.

§ 58. **οὗτοι** refers to the Corinthians alone, and not to Leucon and Epicerdes. In § 52 the Corinthians are mentioned as the first (*πρώτους*) in a fresh series of benefactors (West.).

πολλοῦ—δέω] *de Pace* 24; oftener in the impersonal form *πολλοῦ—δεῖ inf.* 106, *de Cor.* 47, 52, 300, 308 (Rehdantz, index ii, s. v. *δέω*). Cf. § 76 *ὀλίγου δέω λέγειν*.

πάντας—ἐξετάζειν] The apparent discrepancy between this statement, and the small number at which the privileged persons are estimated in § 20, is reconciled by the fact that in the former passage the reference is only to those actually resident in Athens (West.). *ἐξετάζειν*, 52.

πεποιηκότες...εὖ] The order adopted prevents *hiatus*, cf. § 37.

περὶ τούτων] sc. *οἱ πόλεις ὅλας συμμάχους ὑμῖν παρέσχον*. The reference (as the scholiast has noticed) is solely to the *ξένοι*.

§ 59. **Θασίους**] Xen. *Hell.* I 1 § 32 (B.C. 410) *ἐν Θάσῳ δὲ κατὰ τὸν καιρὸν τοῦτον στάσεως γενομένης, ἐκπίπτουσιν οἱ λακωνισταὶ καὶ ὁ Λάκων ἁρμοστὴς Ἐτεόνικος*, and 4 § 9 (winter of B.C. 408) *Θρασύβουλος δὲ σὺν τριάκοντα νανσὶν ἐπὶ Θρᾴκης ᾤχετο, ἐκεῖθεν δὲ τά τε ἄλλα χωρία τὰ πρὸς Λακεδαιμονίους μεθεστηκότα κατεστρέψατο καὶ Θάσον ἔχουσαν κακῶς ὑπό τε τῶν πολέμων καὶ στάσεων καὶ λιμοῦ*. Diod. xiii 72 wrongly places these events later than Xenophon. After the defeat of Athens at Aegospotami (405), Thasos fell once more into the hands of the Lacedaemonians who treacherously put to death the greater part of the civil community (Corn. Nepos, *Lys.* 2; Polyaenus I 45 § 4; Curtius *H. G.* iv 10 Ward). Those who escaped fled to Athens.

Ἐκφάντου] the name of this leader of the democratical party at Thasos is not mentioned by any other ancient writer, but

ἀδικήσετ', ἐὰν[g] ἀφαιρῆσθε τὴν ἀτέλειαν, οἳ παραδόντες ὑμῖν Θάσον,
καὶ[h] τὴν Λακεδαιμονίων φρουρὰν μεθ' ὅπλων ἐκβαλόντες, καὶ
Θρασύβουλον εἰσαγαγόντες, καὶ[h] παρασχόντες φίλην[1] ὑμῖν τὴν 475
αὐτῶν πατρίδα, αἴτιοι τοῦ γενέσθαι σύμμαχον τὸν περὶ Θράκην
60 τόπον ὑμῖν ἐγένοντο; τοῦτο δ' Ἀρχέβιον καὶ Ἡρακλείδην, οἳ
Βυζάντιον παραδόντες Θρασυβούλῳ κυρίους ὑμᾶς ἐποίησαν τοῦ

[g] ἂν A (w) : ἐὰν S L vulgo. [h] καὶ seclusit Weil. [1] φιλίαν Cobet, cf. 77. 'Sed φίλην etiam Aristid. i 661, qui om. ὑμῖν' Blass.

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in an inscription giving a list of persons who are apparently Thasians exiled for their sympathy with Athens, and rewarded by certain privileges such as citizenship or *isoteleia*, is found the fragmentary name ЄΧΦΑΝΤΟΥ. CIA ii 4, 9. A. Schaefer, *Dem. u. s. Zeit*, i² 403 n., refers to Foucart, *Revue Archéologique*, 35 p. 122, 5, and (for a discussion of the date of the services of those commemorated in the decree) to Frohberger's article in *Philologus* 17 p. 440 f.

There is also an inscription (CIA ii 3; Hicks no. 62) in honour of the sons of Apemantus, one of whom is named in the list just mentioned, renewing the decree respecting the *προξενία* which had probably been granted them in recognition of their having been exiled from Thasos in the revolution of B.C. 411 (Thuc. viii 64).

παραδόντες ... ἐκβαλόντες ... εἰσαγαγόντες ... παρασχόντες] The ordinary reading makes all these participles coordinate with one another in construction; but logically the second and third of them are closely connected with each other and are explanatory of the first; while the first is parallel in sense with the fourth. A desire to bring the formal shape of the sentence into closer agreement with the sense has led to suggestions for slight alterations which are perhaps unnecessary.

φίλην] 'friendly', here applied to a state (instead of *φιλίαν*) as in Lys. 12 § 38 *πόλεις πολεμίας οὔσας φίλας ἐποίησαν*. Isocr. 16 § 21. Xen. *Hell.* iii 5 § 4. Plut. *Cimon* 19 (West.).

τὸν περὶ Θράκην τόπον] 'the district about Thrace'. Aeschin. 2 § 9 and 3 § 73 *τὸν ἐπὶ Θράκης τόπον*. The more frequent phrase is *τἀπὶ Θράκης*, 'the regions Thrace-ward', as in *Chers.* 64 and Thuc. i 59, 68 § 4; ii 9 § 3; iv 82; v 21 § 1.

§ 60. **Ἀρχέβιον**] Among the foreign friends enumerated in *Aristocr.* 189 (B.C. 352) we find *Ἀρχέβιον τὸν Βυζάντιον*. **Ἡρακλείδην**, not mentioned elsewhere.

Βυζάντιον παραδόντες κ.τ.λ.] B.C. 390; related with fewer details by Xen. *Hell.* iv 8 § 27 (*Θρασύβουλος ὁ Στειριεὺς*) *πλεύσας εἰς Βυζάντιον ἀπέδοτο τὴν δεκάτην τῶν ἐκ τοῦ Πόντου πλεόντων. μενέστησε δὲ ἐξ ὀλιγαρχίας εἰς τὸ δημοκρατεῖσθαι τοὺς Βυζαντίους· ὥστε οὐκ ἀχθεινῶς ἑώρα ὁ τῶν Βυζαντίων δῆμος Ἀθηναίους ὅ τι πλείστους παρόντας ἐν τῇ πόλει.* ib. 31 *αἰσθόμενοι δ' οἱ Λακεδαιμόνιοι, ὅτι ἡ δεκάτη τε τῶν ἐκ τοῦ Πόντου πεπραμένη εἴη ἐν Βυζαντίῳ ὑπ' Ἀθηναίων κ.τ.λ.*

Chalcedon was won over to the Athenian interest at the same time as Byzantium on the opposite shore of the Bosporus, and as these two places completely commanded the straits, it was easy to enforce the dues levied on all ships sailing to and from the Euxine. 'Byzantium', says Polybius (iv 38 and 43, 44), 'possesses the most commodious situation on the sea of any commercial city. Against its will no vessel, on account of the uncommonly rapid currents in the straits, could either enter or sail out of the Pontus' (Boeckh III xvi, 435 Lamb). Twenty years before, B.C. 410–9, in the struggle between Alcibiades and Pharnabazus for the control of the trade of the Euxine, the Athenian commander had established a fortified position north of Chalcedon, at Chrysopolis, where the current compelled all vessels to touch when crossing from Chalcedon to Byzantium. 'Here he built a tower as a custom-house, and placed at this point a squadron of 30 triremes, which levied on all in- and out-going vessels a tithe of the value of their lading', a measure which, although it raised the price of corn at Athens and elsewhere, brought in a considerable revenue of ready money (Curtius, *H. G.* iii 473 Ward, refers to Xen. *Hell.* i 1 § 22

[illegible]

[illegible] the Peace of Antalcidas, B.C. 387, § 54, which is here described in terms that are far too accurate. The interests of the Athenians were respected in that peace by the recognition of their right to the islands of Lemnos, Imbros and Scyros, but this was all the advantage they gained by it; while all the Greek cities in Asia were recognised as belonging to the king of Persia. So far as the islands were concerned, similar terms had been offered by the Lacedaemonians three years before (B.C. 390), when the proposed peace was unsuccessfully commended to the Athenians by Andocides, 3 § 12. More than thirty years had passed since the peace negociated by Antalcidas, and probably its disgraceful character had been partly forgotten; but, if we turn to opinions expressed by prominent men at Athens at an earlier date, we find Plato in the *Menexenus*, 245 D, describing Athens as isolated because she could not countenance such an αἰσχρὸν καὶ ἀνόσιον ἔργον as the surrender of the Greeks to the barbarians; while Isocrates in the *Panegyricus*, published in 380 B.C., denounces the peace at considerable length, § 115 ff.

ἐκπεσόντων] The date of their banishment is uncertain. Two dates are suggested in Rosenberg's ed. of Westermann: either 357, the outbreak of the Social War; or 364, when there are indications of an estrangement between Byzantium [illegible]

[illegible]

πρόξενοι] [illegible] a member of a foreign state who, in recognition of his services to Athens, was entrusted with the duty of maintaining in his own state the interests of Athens and her citizens. In the present case, the persons honoured with this title had been expelled from their own state and consequently must be regarded as falling under the other variety of πρόξενοι, those namely who, when resident in Athens, ranked between the ἰσοτελεῖς and the ordinary μέτοικοι ([illegible] IV x. 694 [illegible]). There are numerous inscriptions in which the title of πρόξενος is conferred. One of the most interesting is that in honour of Philiscus of Sestos who in the archonship of Callistratus, 355-4, the year in which this speech was delivered, was presented with προξενία καὶ εὐεργεσία [illegible] ἀγόραις Σηστίων (C.I.A. II 69, Dittenberger's *Sylloge* no. 91). An emblematic bas-relief above represents Philiscus riding on horseback to announce the approach of the enemy's fleet; in the middle is Athens personified as Athena holding a Victory in her hand and receiving the homage of a kneeling figure which is meant for another representation of Philiscus (cp. Schoene, *Griechische Reliefs*, taf. xxi, no. 93, copied in Duruy's *Hist. des Grecs* i 801). Similarly we find a proposal for

ὑμᾶς φεύγοντας καὶ δικαίως τι παρ' ὑμῶν εὑρομένους, ἐάσωμεν ἀφαιρεθῆναι ταῦτα[j], μηδὲν ἔχοντες ἐγκαλέσαι; ἀλλ' αἰσχρὸν ἂν
61 εἴη. μάθοιτε δὲ τοῦτο μάλιστ' ἄν, ἐκείνως[k] εἰ λογίσαισθε πρὸς ὑμᾶς αὐτούς· εἴ τινες νυνὶ τῶν ἐχόντων Πύδναν ἢ Ποτείδαιαν[l] ἤ τι τῶν ἄλλων χωρίων, ἃ Φιλίππῳ μέν ἐστιν ὑπήκοα, ὑμῖν δ' ἐχθρά, τὸν αὐτὸν τρόπον ὅνπερ ἡ Θάσος ἦν τότε καὶ τὸ Βυζάντιον Λακεδαιμονίοις μὲν οἰκεῖ, ὑμῖν δ' ἀλλότρια, παραδώσειν ταῦτ' ἐπαγγείλαιντ', ἂν αὐτοῖς τὰς αὐτὰς δῶτε δωρειάς, ἅσπερ Ἐκφάντῳ τῷ
62 Θασίῳ καὶ Ἀρχεβίῳ τῷ Βυζαντίῳ, καί τινες τούτων ἀντιλέγοιεν αὐτοῖς, ταῦτα λέγοντες[m], ὡς δεινὸν εἴ τινες μόνοι τῶν ἄλλων μετοί-

[j] ταῦτα τὰ δοθέντα (B 1824): ταῦτα S L[1]. [k] olim male post ἐκείνως interpungebatur (Z B): 'punge potius mecum ἂν, ἐκείνως' Taylor. [l] W Wr Bl lapides inscriptos secuti; Meisterhans, *Gr. at. Inschr.* p. 41, ed. 1888: Ποτίδαιαν codices. [m] 'Reseca ταῦτα λέγοντες, quia haec ipsa notio inest in ἀντιλέγοιεν'

rewarding Phanocritus of Parion in the Hellespont for giving information of the enemy's fleet, possibly about 390—380, by inscribing his name as προξενον καὶ εὐεργέτην (CIA ii 38; Hicks, no. 75). Cf. ib. 39, 40, 50 πρόξενον κ. εὐεργέτην, ἀντὶ τούτων εἶναι [μὲν τ]ὴν προξενίαν καὶ τὴν εὐεργεσί[αν]. The title is often combined with a grant of the right to hold real property (Boeckh I xxiv, 194 Lamb). Monceaux, *les proxénies grecques*, 1886, gives two chronological lists (1) of all the πρόξενοι of Athens that are known to us; (2) of all the πρόξενοι who represented foreign states at Athens.

εὐεργεσίαν] *Aristocr.* 145 (of Charidemus) πρῶτον μὲν πολίτης γέγονεν ἄνθρωπος, εἶτα πάλιν χρυσοῖς στεφάνοις ὡς εὐεργέτης ἐστεφάνωται. Xenophon περὶ πόρων iii 11 οἶμαι δὲ ἔγωγε, εἰ μέλλοιεν ἀναγραφήσεσθαι εὐεργέται εἰς τὸν ἅπαντα χρόνον καὶ ξένους ἂν πολλοὺς εἰσενεγκεῖν, ἔστι δὲ ἃς ἂν καὶ πόλεις τῆς ἀναγραφῆς ὀρεγομένας. ἐλπίζω δὲ καὶ βασιλέας ἂν τινας καὶ τυράννους καὶ σατράπας ἐπιθυμῆσαι μετασχεῖν ταύτης τῆς χάριτος (Wolf). Lys. 20 § 19 εἰ ξένος τις...εὐεργέτης ἀναγραφῆναι ἠξίου.

In addition to the honorary titles of πρόξενος and εὐεργέτης conferred on Archebius and Heracleides, they had the substantial privilege of exemption from taxes, although the fact was doubted by some, according to the scholiast on τοῦτο μὲν τοίνυν, § 59.

§ 61. **Πύδναν**] Pydna, taken by Philip late in the autumn or in the winter of 357, had formerly belonged to Athens, *Phil.* 14 εἴχομέν ποθ' ἡμεῖς...Πύδναν καὶ Ποτείδαιαν καὶ Μεθώνην καὶ πάντα τὸν τόπον τοῦτον οἰκεῖον κύκλῳ. (Cf. *Ol.* i §§ 5, 9.) Pydna was important to Philip because it lay on the road to Thessaly. According to § 63 *infra*, it was betrayed to Philip. Its capture was followed by a cruel massacre, in which even those who took refuge in the sanctuary of Amyntas found no mercy (Aristeides, *Or.* 38 p. 480; A. Schaefer, *Dem. u. s. Z.* i 22[1], 23[2]).

Ποτείδαιαν] taken by Philip on the 21st of July, 356. The help sent by Athens arrived too late (*Phil.* i 35). The Athenian κληροῦχοι were sent home, and the rest of the inhabitants sold into slavery (*Phil.* ii 20; Diodor. xvi 8). Cf. A. Schaefer, *l. c.* 23[1], 24[2] f. The present passage, as Weil points out, implies that Potidaea was not actually destroyed at this time, although its destruction has been inferred from the statements of later writers quoted by A. Schaefer *l. c.* 24[1], 25[2].

§ 62. **τινες τούτων**] the supporters of the law of Leptines.

ὡς δεινὸν—χορηγοῖεν] 'that it was monstrous for any of the resident aliens to escape the public burdens while the rest do not' (Kennedy). **μόνοι τῶν ἄλλων**, partitive genitive, as in *Symm.* 3 παραινέσαιμ' ἂν μόνοις τῶν ἄλλων ὑμῖν πόλεμον ἄρασθαι. *de Cor.* 196. *Meid.* 223. *Aristocr.* 185. Or. 59 § 95 μόνοι τῶν ἄλλων Βοιωτῶν (West.). Also 50 § 24 and *Ep.* 3 p. 1480, 7; Lycurg. *Leocr.* 67, 102 (with other references in Rehdantz, *Lycurgus* p. 146). Cf. Kühner ii 290.

κων μὴ χορηγοῖεν, πῶς ποτ' ἂν ἔχοιτε[n] πρὸς τοὺς ταῦτα λέγοντας; ἢ δῆλον ὅτι φωνὴν οὐκ ἂν ἀνάσχοισθ' ὡς συκοφαντούντων; οὐκοῦν αἰσχρόν, εἰ μέλλοντες μὲν εὖ πάσχειν συκοφάντην ἂν τὸν ταῦτα λέγονθ' ἡγοῖσθε, ἐπὶ τῷ δ' ἀφελέσθαι τὰς τῶν προτέρων εὐεργετῶν δωρειὰς ταῦτα[o] λεγόντων ἀκούσεσθε. φέρε δὴ κἀκεῖνο ἐξετάσωμεν.

476 οἱ προδόντες τὴν Πύδναν καὶ τἄλλα χωρία τῷ Φιλίππῳ, τῷ ποτ' 63
ἐπαρθέντες ἡμᾶς ἠδίκουν; ἢ πᾶσι πρόδηλον τοῦθ', ὅτι ταῖς παρ' ἐκείνου δωρειαῖς, ἃς διὰ ταῦτ' ἔσεσθαι σφίσιν ἡγοῦντο; πότερ' οὖν μᾶλλον ἔδει σ', ὦ Λεπτίνη, τοὺς ἐχθρούς, εἰ δύνασαι, πεῖσαι, τοὺς ἐπὶ τοῖς πρὸς ἡμᾶς ἀδικήμασιν γιγνομένους ἐκείνων εὐεργέτας μὴ τιμᾶν, ἢ θεῖναι νόμον ἡμῖν, ὃς τῶν τοῖς ἡμετέροις εὐεργέταις ὑπαρχουσῶν δωρειῶν ἀφαιρεῖταί τι; ἐγὼ μὲν ἐκεῖνο οἶμαι[p]. ἀλλ'

Cobet. [n] *σχοῖτε* propter tres breves collocatas scripsit Blass, coll. *ἀνάσχοισθε*. [o] *ταὐτὰ* Zurborg, *Hermes*, 1878, p. 280. [p] *οἶμαι* O A P (D Wr Bl) : *οἴομαι* S L (Z B V W).

χορηγοῖεν] = *λῃτουργοῖεν* as in § 19.

ἢ δῆλον—συκοφαντούντων] 'Is it not rather clear that you would not submit to listen to them (but would regard them) as malignants?' *ἢ δῆλον* here introduces, in the form of a question, the second and more probable alternative, as in § 63 *ἢ πᾶσι πρόδηλον*. West. quotes Plato *Phaedr.* 227 B and *Prot.* 209 A. **φωνὴν...ἀνάσχοισθε.** 18 § 10; 24 § 125. Isaeus 12 § 4; 15 § 22; Isocr. 19 § 28 (Gebauer, *l. c.* 89). **συκοφαντούντων**, playing the petty informer, a word which like *συκοφάντης* is difficult to render adequately in English. It always conveys a notion of low cunning and paltry officiousness.

εἰ...ἂν...ἡγοῖσθε] *εἰ* does not here coalesce with *ἄν*, so as to be equivalent to *ἐάν*; but is simply a less positive way of expressing *ὅτι*, and therefore does not affect the construction of the dependent verb, which would have been the same if the sentence had not been dependent. We have an example of this in the very last sentence, *δῆλον ὅτι...ἂν...* This use of *εἰ*, which is common after verbs expressing indignation or wonder such as *αἰσχύνομαι* and *θαυμάζω*, puts the object of indignation &c. into a milder or more polite form, by expressing it as a supposition, instead of stating it as a fact (Goodwin, *Moods and Tenses*, § 56).

εἰ is used to introduce two paratactic clauses with *μὲν* and *δὲ* after *αἰσχρον* (*ἐστι*), as here, in Eur. *El.* 336 and Plato, *Hipp.* ii 364 D, and similarly after *ἄλογον*, *δεινον*, *θαυμαστόν*, *ἄτοπον*, *ὑπερφυές* (exx. in Gebauer, *l. c.* 88 f.).

ἐπὶ τῷ δ' ἀφελέσθαι] The position of *δὲ*, after instead of before *τῷ*, is due to a desire to avoid *hiatus* (Weil). For this use of *ἐπὶ* c. dat. 'in a case, or question of' cf. *Phil.* i 20 *ἐπὶ τῷ πράττειν οὐδὲ τὰ μικρὰ ποιεῖτε*.

φέρε, § 26. **ἐξετάσωμεν**, § 5.

§ 63. **οἱ προδόντες** κ.τ.λ., put early for emphasis.

ἐπαρθέντες] 'incited', 'prompted'. 29 § 22 *κέρδεσι δι' ἀπορίαν ἐπαιρομένους*. Aeschin. 1 § 137 *ἐπαρθέντα μισθῷ*. Lys. 9 § 21 *ἐπαρθέντα ἐλπίδι*, 21 § 19 *ὑπὸ κέρδους ἐπαρθῆναι*. **ἢ**, *an*, § 62.

δωρειαῖς] The bribes of Philip became proverbial. Plut. *Aemil.* 12 *ἐρρέθη γοῦν, ὅτι τὰς πόλεις αἱρεῖ τῶν Ἑλλήνων οὐ Φίλιππος ἀλλὰ τὸ Φιλίππου χρυσίον*. Diogenianus, II 81 (*Paroemiographi Graeci* i 209), *ἀργυρέαις λόγχαισι μάχου καὶ πάντα κρατήσεις: ἀντὶ τοῦ, διὰ χρυσοῦ πάντας νικήσεις. Φιλίππῳ δὲ ἐδόθη οὗτος ὁ χρησμός, αἰνιττομένου τοῦ θεοῦ ὡς διὰ προδοσίας πάντων κρατήσει*. Horace, *Carm.* iii 16, 14; Cicero, *ad Att.* i 16 § 12; Iuv. 12, 47. Here, however, Dem. cautiously uses the more complimentary term *δωρειαῖς* (instead of *δώροις*), so as to allow of the bounties offered by Philip being compared with those hitherto granted by Athens.

τοὺς ἐπὶ—μὴ τιμᾶν] 'to abstain from honouring (i.e. rewarding) those who became their benefactors on the strength of (lit. on the ground of) wrongs done to ourselves'. **ἐγὼ μὲν**, § 4.

ἵνα μὴ πόρρω τοῦ παρόντος γένωμαι, λαβὲ τὰ ψηφίσμαθ' ἃ τοῖς Θασίοις καὶ Βυζαντίοις ἐγράφη. λέγε.

ΨΗΦΙΣΜΑΤΑ.

64 *Ἠκούσατε μὲν τῶν ψηφισμάτων, ὦ ἄνδρες δικασταί. τούτων δ' ἴσως ἔνιοι τῶν ἀνδρῶν οὐκέτ' εἰσίν. ἀλλὰ τὰ ἔργα τὰ πραχθέντ' ἔστιν, ἐπειδήπερ ἅπαξ ἐπράχθη. προσήκει τοίνυν τὰς στήλας ταύτας κυρίας εἶν τὸν πάντα χρόνον, ἵν', ἕως μὲν ἄν τινες ζῶσι, μηδὲν ὑφ' ὑμῶν ἀδικῶνται, ἐπειδὰν δὲ τελευτήσωσιν, ἐκεῖναι τοῦ τῆς πόλεως ἤθους μνημεῖον ὦσι*[q], *καὶ παραδείγμαθ' ἑστῶσι τοῖς βουλομένοις τι ποιεῖν ὑμᾶς ἀγαθόν, ὅσους*[r] *εὖ ποιήσαντας ἡ πόλις*
65 *ἀντ' εὖ πεποίηκεν*[s]. *καὶ μὴν μηδ' ἐκεῖν' ὑμᾶς, ὦ ἄνδρες Ἀθηναῖοι, λανθανέτω, ὅτι τῶν αἰσχίστων ἐστὶν*[t] *πάντας ἀνθρώπους ἰδεῖν καὶ ἀκοῦσαι, τὰς μὲν συμφοράς, αἷς δι' ὑμᾶς ἐχρήσανθ' οἱ ἄνδρες οὗτοι, πάντα τὸν χρόνον κυρίας αὐτοῖς γεγενημένας, τὰς δὲ δωρειάς, ἃς*
66 *ἀντὶ τούτων ἔλαβον παρ' ὑμῶν, καὶ δὴ λελυμένας. πολὺ γὰρ*

[q] ὦσιν (V Wt). [r] ὅσους S solus: ὡς τοὺς vel ὅτι τοὺς vulg. (B 1824). [s] ἀντ' εὖ πεποίηκεν (D Bl): ἀντευπεποίηκεν (cet.), quod defendit Voemel ad Chers. § 65; sed ex altera parte audiendus Shilleto, *Journal of Philology*, vii 157. [t] ἐστὶ (Z B D W).

ἵνα μὴ—γένωμαι] 'that I may not wander too far from the present point'.

§ 64. **ἔνιοι**] owes its position to a desire to avoid *hiatus* before *οὐκετ'*.

στήλας] § 36. **παραδείγμαθ' ἑστῶσι**] 37 *ἑστάναι...συνθήκας*. For the general sense, cf. the decree granting certain exemptions to the *δῆμος* of Tenedos in 340 B.C., CIA ii 117, 18 *δ[πω]ς ἂν καὶ εἰς τὸν λοιπὸν [χρόνον εἰδῶσιν] οἵ τε σύμμαχοι καὶ ἄλλος ὅστ[ις ἂν εὔνους ᾖ τῷ] δήμῳ τῷ Ἀθηναίων ὅτι ὁ δῆ[μος ὁ Ἀθηναίων ἐπι]μελε[ῖ]ται δικαίως τοῖς πρ[άττουσιν τῶν συμμά]χων τὰ συμφέροντα τῷ δή[μῳ κ.τ.λ.*

ἀντ' εὖ πεποίηκεν] 'With regard to the prefix *εὐ-* I have always marvelled that editors of acknowledged reputation for learning and judgement (e.g. Immanuel Bekker) should produce examples of such a *monstrum horrendum informe* as *ἀντευπείσεται* (Plat. *Gorg.* 520 D), *συνευπεπονθότων*, Dem. p. 105 § 65. Granting, rather for the sake of argument than of anything else, [that] through *εὐποιδς... εὐποιεῖν* might pass, and so *ἀντευποιεῖν τὸν εὖ ποιήσαντα*, Arist. *Rhet.* i 13 § 12, might be tolerated if not welcomed, what is to be said of *ἀντευπεποίηκεν*?...I have long determined to write *ἀντ' εὖ ποιῶ, ἀντ' εὖ πάσχω*, and when I was asked many years ago my grounds for allowing such tmesis,...I pointed triumphantly to *ξὺν κακῶς ποιεῖν*, Thuc. iii 13 § 1. Will any of my audience venture to write this as one word?' Shilleto in *Journal of Philology*, vii 157.

§ 65. **τῶν αἰσχίστων ἐστὶν**] § 2 *τῶν ἀδίκων*.

τὰς ... συμφορὰς — γεγενημένας] 'that the misfortunes that these men experienced on your account have been made to endure for all time'. *συμφορὰς* refers mainly to exile (§§ 54, 60), which, as implied by *πάντα τὸν χρόνον*, was exile for life. **κυρίας**, primarily used of giving legal sanction to agreements, ratification to laws, is here metaphorically applied to giving perpetuity to disasters.

καὶ δὴ] an emphatic form of *δή*, used in the same sense as *ἤδη*, 'already', within so short a time as 53 years. *Phil.* i 13 *καὶ δὴ* (forthwith) *πειράσομαι λέγειν*, *de Pace* 9 *καὶ δὴ περὶ ὧν παρελήλυθα ἐρῶ*, *de Cor.* 276 *καὶ δὴ* (actually) *ταῦθ' οὕτως ἔχοντα*, *Aristocr.* 77 *καὶ δὴ* (forthwith) *τὴν ὁμοίαν ἐποιήσατο πιστὴν αἰτίαν κατ' αὐτοῦ*. Soph. *El.* 892, 1436, 'actually', 'already'. In Aristoph. *Ran.* 645 *ἤδη 'πάταξά σ'* is repeated in 649 in the form *καὶ δὴ 'πάταξα*.

μᾶλλον ἤρμοττεν[a] τὰ δοθέντ' ἐῶντας τῶν ἀτυχημάτων ἀφαιρεῖν, ἢ
477 τούτων μενόντων τὰς δωρεὰς ἀφαιρεῖσθαι. φέρε γὰρ πρὸς Διός, τίς ἔστιν ὅστις εὖ ποιεῖν ὑμᾶς βουλήσεται, μέλλων, ἂν μὲν ἀποτύχῃ, παραχρῆμα δίκην δώσειν τοῖς ἐχθροῖς, ἂν δὲ κατορθώσῃ, τὰς χάριτας[b] παρ' ὑμῶν ἀπίστους ἕξειν:

Πάνυ τοίνυν ἀχθοίμην ἄν, ὦ ἄνδρες δικασταί, εἰ τοῦτο μόνον 67
δόξαιμι δίκαιον κατηγορεῖν τοῦ νόμου, ὅτι πολλοὺς ξένους εὐεργέτας ἀφαιρεῖται τὴν ἀτέλειαν, τῶν δὲ πολιτῶν μηδένα ἄξιον δοκοίην ἔχειν δεῖξαι τῶν εὑρημένων ταύτην τὴν τιμήν. καὶ γὰρ τἄλλ' ἀγάθ' εὐξαίμην ἂν ἔγωγε παρ' ἡμῖν εἶναι πλεῖστα, καὶ ἄνδρας ἀρίστους καὶ πλείστους[c] εὐεργέτας[x] τῆς πόλεως πολίτας εἶναι. πρῶτον μὲν τοίνυν Κόνωνα σκοπεῖτ', εἰ ἄρ' ἄξιον, καταμεμψαμένους 68

[a] ἤρμοττε (Z B D). [b] 'Repetita syllaba scribendum τὰς χάριτας τὰς παρ' ὑμῶν. Namque aut sic omnes dicebant aut τὰς παρ' ὑμῶν χάριτας' (Cobet).
[c] πιστοὺς S (γ). [x] 'ἄνδρας ἀρίστους καὶ πλείστους dictum est ut δ. ἀγαθοὺς καὶ πολλούς. Seclusi autem εὐεργέτας (quod fortasse ex antecedentibus irrepsit), cf. schol. p. 491. 12. ἐπειδὴ δὲ συνέβαινε καὶ ἐν κακῇ πόλει ἕνα εἶναι ἄριστον, διὰ τοῦτο εἶπε πλείστους. ἀρίστους δέ, ἵνα τὸ μὲν ᾖ τοῦ πλήθους, τὸ δὲ τῆς ἀρετῆς. Huius scholii auctor profecto εὐεργ. non legit'. Blass.

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§ 66. **ἤρμοττεν**] like προσῆκε, without ἄν. 'It had been far more fitting for you to mitigate their misfortunes by leaving what you have given them,' than to withdraw your bounties while their misfortunes remain'. **ἀφαιρεῖν**, here with partitive gen., 'to take away some of'; **ἀφαιρεῖσθαι**, 'to take to oneself, to resume, to withdraw'. Cf. Shilleto quoted on § 17.

φέρε] § 26.

ἀπίστους] 'untrustworthy', more frequently of persons. Even here it *virtually* applies to the Athenians.

§ 67. **εἰ—νόμου**] 'If I thought that this was the only fair charge that I could bring against the law'; 'did it appear that I had but this ground of complaint against the law' (Kennedy); *si hoc nomine duntaxat legem iure accusare putassem* (Voemel). The meaning preferred by Westermann is: 'If I believed that this point alone of the law deserved blame', taking τοῦ νόμου with τοῦτο instead of with κατηγορεῖν, and making τοῦτο τοῦ νόμου the accusative before δίκαιον (εἶναι) instead of regarding τοῦτο as the accusative after κατηγορεῖν. He refers to § 95 ἃ τούτου τοῦ νόμου διώκομεν and *De Cor.* 59 where we have ὁ διώκων τοῦ ψηφίσματος τὸ λέγειν καὶ πράττειν. But in the passages quoted the gen. is close to the governing word, whereas here τοῦ νόμου is separated from τοῦτο μόνον and is most naturally taken after κατηγορεῖν. Beatson quotes Plat. *Protag.* 338 c τῶνδε δὲ οὕτω ἄξιον τοῦτο κατηγορεῖν and *Lys.* 605 c οὐ μέντοι τό γε μέγιστον κατηγορήκαμεν αὐτῆς.

ἄνδρας—πολίτας εἶναι] 'that the best men and the greatest number of the benefactors of our state should be (our own) citizens'. **ἄνδρας ἀρίστους** is inserted to keep the balance with τἄλλα ἀγαθά, the blessing of brave men being suggested by the mention of 'other blessings'; but for this, it would have been easy to omit καὶ ἄνδρας ἀρίστους, in which case καὶ πλείστους would have followed more closely on πλεῖστα. Weil understands the order of the construction to be: καὶ πολίτας ἄνδρας (ἄνδρας πολίτας) ἀρίστους καὶ πλείστους εἶναι εὐεργέτας τῆς πόλεως, the word πολίτας being placed at the end for emphasis. But this view gives us a somewhat strained and confused construction and seems unworthy of that critic's usual clearness of judgment.

§ 68. **Κόνωνα**] The desire for emphasis in the introduction of so important a name leads the orator to place it in the principal, instead of in the subordinate sentence (Kühner ii 1083 n. 3).

Conon's son, Timotheus, as Menestheus and Iphicrates, leagues of Timotheus, as gene Social War, were at this t

ἢ τὸν ἄνδρα ἢ τὰ πεπραγμένα[y], *ἄκυρόν τι ποιῆσαι τῶν ἐκείνῳ δοθέντων. οὗτος γάρ, ὡς ὑμῶν τινῶν ἔστιν ἀκοῦσαι τῶν κατὰ τὴν αὐτὴν ἡλικίαν ὄντων, μετὰ τὴν τοῦ δήμου κάθοδον τὴν ἐκ Πειραιῶς ἀσθενοῦς ἡμῶν τῆς πόλεως οὔσης καὶ ναῦν οὐδεμίαν κεκτημένης, στρατηγῶν βασιλεῖ, παρ' ἡμῶν*[z] *οὐδ' ἡντινοῦν ἀφορμὴν λαβών, κατεναυμάχησε*[zz] *Λακεδαιμονίους, καὶ πρότερον τοῖς ἄλλοις ἐπιτάττοντας εἴθισ' ἀκούειν ἡμῶν*[a], *καὶ τοὺς ἁρμοστὰς ἐξήλασεν ἐκ τῶν νήσων, καὶ μετὰ ταῦτα δεῦρ' ἐλθὼν ἀνέστησε τὰ τείχη, καὶ*

[y] +αὐτῷ (B 1824). [z] παρ' ἡμῶν A et Aristides 368 Walz (Bl) : παρ' ὑμῶν. ὑμῶν Z. [zz] -ν propter tres breves Blass. [a] ἡμῶν sine codice scripsit Blass : ὑμῶν.

on a charge of high treason by Aristophon and Chares. It has therefore been suggested that the orator seizes the opportunity to eulogize the father, to shew his sympathy with the cause of the son (Westermann, *Z. f. d. Alt.* 1844 p. 769 f.: and A. Schaefer, *Dem. u. s. Z.* i 376[1], 415[2] f., and 153[1], 174[2]; where, in accordance with the testimony of Dionysius, *Dinarchus* 13, ad fin., the date of the actual trial is placed in 354 B.C., although Grote puts it in the winter of 357–6). Similarly, the speech against Androtion (§ 72) contains a complimentary reference to Conon's victory over the Lacedaemonians and to the liberation of Euboea (by Timotheus). In any case, whether the orator had any such special purpose in the present eulogy or not, the praises of Conon form, as observed by Weil, a fitting introduction to those of Chabrias which are a main object of the speech.

ὡς ὑμῶν—ὄντων] § 52.

μετὰ τὴν—Πειραιῶς] The restoration of the democracy by Thrasybulus in 403 B.C. Xen. *Hell.* ii 4. *Supra* § 11.

ναῦν οὐδεμίαν κεκτημένης] In a similarly exaggerated manner Dem., *de Cor.* 96, says of Athens at the same period: *οὔτε ναῦς οὔτε τείχη τῆς πόλεως τότε κτησαμένης*. By the treaty with Sparta, which brought the Peloponnesian War to an end in 404 B.C., Athens had to surrender all her ships, *with the exception of twelve* (Xen. *Hell.* ii 2 § 20; cf. Lysias 13 § 14). Lysander, says Plutarch, *Lys.* 15, *τὰς τριήρεις κατέφλεγε πρὸς τὸν αὐλόν*.

στρατηγῶν βασιλεῖ] 'He, I say, being a general in the service of the king of Persia' (Artaxerxes Mnemon). It was Pharnabazus who persuaded the king *στόλον ἑτοιμάσαι καὶ ναύαρχον ἐπιστῆσαι Κόνωνα* (Diodorus xiv 39). Isocr. *Paneg.* 142.

παρ' ἡμῶν—ἀφορμὴν λαβών] This appears to be literally true, as Athens took no part in the naval operations which ended in Conon's victory. Isocr., in the pamphlet addressed to Philip in 346 B.C., uses needlessly exaggerated language when he says of Conon: *ἀφορμὴν οὐδεμίαν ἄλλην ἔχων πλὴν τὸ σῶμα καὶ τὴν διάνοιαν*. Yet the same writer says in 9 § 56 that most of the *δύναμις* was supplied by Evagoras, king of Cyprus.

κατεναυμάχησε] At Cnidus in August, B.C. 394. Xen. *Hell.* iv 3 §§ 10—12; Diodor. xiv 83. The 'Lion of Cnidus' now in the British Museum commemorates either this victory (Newton's *Travels and Discoveries in the Levant*, ii 226), or the repulse of the Athenians by the Cnidians in B.C. 412 (Vaux, *Gk. Cities and Islands of Asia Minor*, pp. 77—79 and frontispiece).

ἐπιτάττοντας] 'imposing commands', 'dictating'. **ἀκούειν**, 'to listen to', in the sense of shewing deference to; but rather less strong than *ὑπακούειν*, 'to obey'. A reference to this passage should be added in L and S s.v. II 2 where poets alone are quoted.

ἁρμοστάς] Harpocr. s.v. *οἱ ὑπὸ Λακεδαιμονίων εἰς τὰς ὑπηκόους πόλεις ἄρχοντες ἐκπεμπόμενοι, ὡς Ἐρατοσθένης ἐν τοῖς περὶ ἀγαθῶν καὶ κακῶν φησί· Δημοσθένης ὑπὲρ Κτησιφῶντος* (*de Cor.* 96 *Λακεδαιμονίων γῆς καὶ θαλάττης ἀρχόντων καὶ τὰ κύκλῳ τῆς Ἀττικῆς κατεχόντων ἁρμοσταῖς καὶ φρουραῖς*). Xen. *Hell.* iv 8 § 1 *Φαρνάβαζος καὶ Κόνων, ἐπεὶ ἐνίκησαν τοὺς Λακεδαιμονίους τῇ ναυμαχίᾳ, περιπλέοντες καὶ τὰς νήσους καὶ πρὸς τὰς ἐπιθαλαττίας πόλεις, τούς τε Λακωνικοὺς ἁρμοστὰς ἐξήλαυνον...*

ἐκ τῶν νήσων] Cos and Chios, Les-

πρῶτος πάλιν περὶ τῆς ἡγεμονίας ἐποίησε τῇ πόλει τὸν λόγον πρὸς Λακεδαιμονίους εἶναι. καὶ γάρ τοι μόνῳ τῶν[b] πάντων αὐτῷ 69
τοῦτ' ἐν τῇ στήλῃ γέγραπται· "ἐπειδὴ [Κόνων][c]" φησὶν "ἠλευθέρωσε
"τοὺς Ἀθηναίων συμμάχους." ἔστιν δὲ τοῦτο τὸ γράμμα, ὦ ἄνδρες
δικασταί, ἐκείνῳ μὲν φιλοτιμία πρὸς ὑμᾶς αὐτούς, ὑμῖν δὲ πρὸς
478 πάντας τοὺς Ἕλληνας· ὅτου γὰρ ἄν τις παρ' ὑμῶν[d] ἀγαθοῦ τοῖς
ἄλλοις αἴτιος γένηται, τούτου τὴν δόξαν τὸ τῆς πόλεως ὄνομα
καρποῦται. διόπερ οὐ μόνον αὐτῷ τὴν ἀτέλειαν ἔδωκαν οἱ τότε, 70
ἀλλὰ καὶ χαλκῆν εἰκόνα, ὥσπερ Ἁρμοδίου καὶ Ἀριστογείτονος,

[b] τῶν om. S (v). [c] Κόνων deleo, quod neque usui est neque in lapide hoc loco fuisse potest (Blass). [d] παρ' ὑμῶν manu recenti correctus S (v w Bl): παρ' ἡμῶν S L, vulg.

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bos, the Cyclades and Cythera (Diodorus xiv 84).

ἀνέστησε τὰ τείχη] The walls had been demolished by Lysander and were restored by Conon, with the aid of Persian gold from Pharnabazus. Xen. *Hell.* iv 8 § 10 *ὁ δὲ ἀφικόμενος πολὺ τοῦ τείχους ὤρθωσε, τά τε πληρώματα παρέχων καὶ τέκτοσι καὶ λιθολόγοις μισθὸν διδοὺς καὶ ἄλλο εἴ τι ἀναγκαῖον ἦν δαπανῶν. ἦν μέντοι τοῦ τείχους ἃ καὶ αὐτοὶ Ἀθηναῖοι καὶ Βοιωτοὶ καὶ ἄλλαι πόλεις ἐθελούσιαι συνετείχισαν.* Isocr. *Phil.* 64 *τὰ τείχη τῆς πατρίδος ἀνώρθωσεν. Inf.* 72 f.

ἡγεμονίας] Isocr. *Areop.* 65 even ventures to say that the Spartans sent envoys *διδόντας τῇ πόλει τὴν ἀρχὴν τῆς θαλάττης.*

§ 69. **μόνῳ τῶν πάντων**] *inf.* 141; 10 § 66; 19 §§ 261, 269; 60 § 4; Andoc. 3 § 18; Lyc. §§ 50, 131; Lys. 24 § 9 *μ. ἀνθρώπων*, Dem. 21 § 105 *μ. τῶν ὄντων ἀνθρώπων* (Rehdantz, *Lycurgus*, p. 146).

τῇ στήλῃ] the marble tablet (§ 36 n.) on which the decree was engraved.

ἐπειδὴ—συμμάχους] The orator quotes from the decree in honour of Conon the clause which was also applicable to the services of his son, Timotheus, who was now threatened with impeachment (note on § 68, A. Schaefer, *Dem. u. s. Z.* i 376[1], 416[2]). In *Androt.* 72 he quotes the dedicatory inscription, *Κόνων ἀπὸ τῆς ναυμαχίας τῆς πρὸς Λακεδαιμονίους.* **φησὶν**, as in *Phil.* iii 42 'so runs the inscription'; sc. *ἡ στήλη* or *τὸ γράμμα*, implied by the context. **ἠλευθέρωσε**, Isocr. *Phil.* 64 (of Conon) *τοὺς Ἕλληνας ἠλευθέρωσεν*, 9 § 66; Deinarchus 1 § 14.

φιλοτιμία] = δόξα, as in *Ol.* 2 §§ 3, 16; 'an honour to *him* with regard to yourselves'. To correct the effect of the undue prominence thus given to the individual, the orator continues: 'and to yourselves in the eyes of all the Greeks', adding that the good done by Conon redounded to the credit of the state. The compliment paid to Conon is the earliest instance of publicly assigning the credit of a successful engagement to the individual instead of the state, which Dem. himself laments as a sign of the degeneracy of the times in *Aristocr.* 198; but it is to be remembered that Conon, although he deliberately acted in the interests of Athens, had no authorisation of any kind from the state; and it would have been absurd for the state to take the credit of his success in any official document, although that success incidentally reflected credit on Athens.

τις παρ' ὑμῶν] 'anyone from among yourselves'; *de Cor.* 148 *ἂν δ' Ἀθηναῖος ᾖ καὶ παρ' ὑμῶν*, and *Phil.* i 27 *παρ' ὑμῶν* = *οἰκείους.*

καρποῦται] 'reaps', metaphorically used instead of *κομίζεται.*

§ 70. **διόπερ**] refers back to the terms of the decree quoted at the beginning of the previous section. Probably the same decree authorised the erection of the statue of Conon. **αὐτῷ**, unemphatic.

χαλκῆν εἰκόνα] Isocr. 9 § 57 *ἐτιμήσαμεν* (Conon and Evagoras) *ταῖς μεγίσταις τιμαῖς καὶ τὰς εἰκόνας αὐτῶν ἐστήσαμεν, οὕπερ τὸ τοῦ Διὸς ἄγαλμα τοῦ σωτῆρος, πλησίον ἐκείνου τε καὶ σφῶν αὐτῶν, ἀμφοτέρων ὑπόμνημα, καὶ τοῦ μεγέθους τῆς εὐεργεσίας καὶ τῆς φιλίας τῆς πρὸς ἀλλήλους.* Pausanias, i 3 § 1, describes these statues, and that of Conon's son Timotheus, as standing near the *στοὰ βασίλειος* in the Cerameicus. The name of **Κόνων** occurs in an inscription in honour of

ἔστησαν πρώτου· ἡγοῦντο γὰρ οὐ μικρὰν τυραννίδα καὶ τοῦτον τὴν Λακεδαιμονίων ἀρχὴν καταλύσαντα πεπαυκέναι. ἵν' οὖν μᾶλλον οἷς λέγω προσέχητε, τὰ ψηφίσμαθ' ὑμῖν αὖτ' ἀναγνώσεται τὰ τότε ψηφισθέντα τῷ Κόνωνι. λέγε.

ΨΗΦΙΣΜΑΤΑ.

71 *Οὐ τοίνυν μόνων*[e] *ὑφ' ὑμῶν ὁ Κόνων, ὦ ἄνδρες Ἀθηναῖοι, τότ' ἐτιμήθη*[f] *πράξας ἃ διεξῆλθον ἐγώ, ἀλλὰ καὶ ὑπ' ἄλλων πολλῶν, οἳ*

[e] *μόνων* scripsit Blass : *μόνον* vulg., tribus brevibus collocatis. [f] *ἐπετιμήθη*

Evagoras found near the Dionysiac theatre (CIA ii p. 397, Hicks no. 72). Pausanias mentions another statue of Conon and Timotheus, on the Acropolis (i 24 § 3). A pedestal of Pentelic marble, broken into two parts, has been found near the Parthenon, bearing the names Κόνων Τιμ[ο]θέου and Τιμόθεος Κόνω[νος]. CIA ii 1360; Dittenberger, no. 66.

ὥσπερ Ἁρμοδίου καὶ Ἀριστογείτονος] The first portrait-statues of the tyrannicides were made in bronze, and were the work of Antenor the Athenian (between 510 and 540 B.C.). They were supposed by Pliny, xxxiv 17, to be the first statues erected at Athens in honour of any individual at the public expense. The statues were carried off by Xerxes after the destruction of Athens. They were restored to the Athenians either by Alexander the Great (Arrian, *Anab.* iii 16 § 7, vii 19 § 2; Plin. xxxiv 70) or Seleucus (Valer. Max. ii 10, ext. 1), or Antiochus (Pausan. i 8 § 5); and set up in the Cerameicus, near the temple of Ares, beside the new figures of the same heroes by Critios and Nesiotes (Lucian, *Philopseud.* 18) which had been set up in 477 B.C. (*Marmor Parium*, i l. 70). It was only the latter group that was standing in Athens at the time when this speech was delivered; and it is this latter group which is represented for us in a copy in the Museum at Naples which was first identified by Friederichs (*Archaeologische Zeitung*, 1859, p. 65), and casts of which may be seen in the South Kensington Gallery, no. 47, and the Cambridge Museum of Archaeology, no. 108. It has also been found on some Athenian tetradrachms; on the back of a magistrate's marble seat formerly at Athens and now in Scotland, at Broomhall, in Fife, the seat of the Earl of Elgin (Stackelberg, *Gräber der Hellenen*, p. 35; Michaelis in *Journal of Hellenic Studies*, v 143); and on the shield of Athena on a Panathenaic amphora in the British Museum (*Monumenti dell' Inst.* x tav. 48 d). A conspectus of some of the copies of this group is given in Conze's *Vorlegeblätter*, ser. vii taf. 7. See also Overbeck, *Gr. Plastik*, i 117 ff[3] (or Perry's *Gk. and Roman Sculpture*, pp. 95, 107 ff.).

πρώτου] agreeing with *αὐτοῦ* implied after *εἰκόνα*; 'the first after theirs' (Kennedy). The statement is to be confined to statues set up at the public expense. In a speech delivered in 399 we hear of a bronze monument in honour of a general: Andoc. 1 § 38 *τῆς στήλης ἐφ' ᾗ ὁ στρατηγός ἐστιν ὁ χαλκοῦς*. Either this monument must have been overlooked by Dem. or it was only erected by private persons. Similarly the statues of Epicharinos before Ol. 86 = B.C. 436—3 (Paus. i 23 § 9) and of Diitrephes Ol. 91, 3 = B.C. 414 (Paus. ib. § 3) were set up by individuals and not by the state (Westermann, *Zeit. f. d. Alt.* 1844, p. 771). The precedent thus set was followed in the case of the statues in honour of Chabrias, Iphicrates and Timotheus (Aeschin. 3 § 243).

τυραννίδα] The application of this term to the Spartan rule is warranted by the severe rule of the *δεκαρχίαι* established by Lysander at the end of the Peloponnesian War (Isocr. *Paneg.* 110, *Phil.* 95, *Panath.* 54, 68). Thucydides, i 77 § 4, makes the Athenian envoys say to the Lacedaemonians: *ἄμικτα τά τε καθ' ὑμᾶς αὐτοὺς νόμιμα τοῖς ἄλλοις ἔχετε καὶ προσέτι εἷς ἕκαστος ἐξιὼν οὔτε τούτοις χρῆται οὔθ' οἷς ἡ ἄλλη Ἑλλὰς νομίζει.*

καὶ τοῦτον] Conon also, like the tyrannicides.

§ 71. **ὑπ' ἄλλων πολλῶν**] e.g. at Erythrae in Ionia honours were decreed to Conon in 394 B.C., as is shewn by the following inscription: [*ἔδοξεν*] *τῇ βουλῇ καὶ τῷ* [*δήμῳ* K]*όνωνα ἀναγράψαι*

δικαίως ὧν εὐεργέτηντο[g] χάριν ᾤοντο δεῖν[h] ἀποδιδόναι. οὐκοῦν[i] αἰσχρόν, ὦ ἄνδρες Ἀθηναῖοι, εἰ αἱ μὲν παρὰ τοῖς ἄλλοις δωρειαὶ βέβαιοι μένουσιν[k] αὐτῷ, τῆς δὲ παρ' ὑμῶν μόνης τοῦτ' ἀφαιρήσεται[l]. καὶ μὴν οὐδ' ἐκεῖνο καλόν, ζῶντα μὲν αὐτὸν οὕτω τιμᾶν ὥστε 72
τοσούτων ὅσων ἀκηκόατ' ἀξιοῦν, ἐπειδὴ δ' ἐτελεύτησεν[m], [μηδεμίαν ποιησαμένους τούτων μνείαν,][n] ἀφελέσθαι τι τῶν δοθέντων τότε. πολλὰ μὲν γάρ ἐστιν, ὦ ἄνδρες Ἀθηναῖοι, τῶν ὑπ' ἐκείνου πραχθέντων ἄξι' ἐπαίνου, δι' ἃ πάντα προσήκει μὴ λύειν τὰς ἐπὶ τούτοις δοθείσας δωρειάς, κάλλιστον δὲ πάντων ἡ τῶν τειχῶν ἀνάστασις. γνοίη δ' ἄν τις εἰ παραθείη πῶς Θεμιστοκλῆς, ὁ τῶν 73
καθ' ἑαυτὸν ἁπάντων ἀνδρῶν ἐνδοξότατος, ταὐτὸ τοῦτ' ἐποίησεν. λέγεται τοίνυν ἐκεῖνος τειχίζειν εἰπὼν τοῖς πολίταις, κἂν ἀφικνῆ-
479 ταί[nn] τις ἐκ Λακεδαίμονος, κατέχειν κελεύσας[o], οἴχεσθαι πρεσβεύων αὐτὸς ὡς τοὺς Λακεδαιμονίους, λόγων δὲ γιγνομένων ἐκεῖ[p] καί τινων ἀπαγγελλόντων ὡς Ἀθηναῖοι τειχίζουσιν, ἀρνεῖσθαι καὶ πρέσβεις πέμπειν σκεψομένους[q] κελεύειν, ἐπειδὴ δ' οὐχ ἥκον οὗτοι, πέμπειν ἑτέρους παραινεῖν. καὶ πάντες ἴσως ἀκηκόαθ' ὃν τρόπον ἐξαπατῆ-

S L Y F ('auctis honoribus ornatus est' Voemel), quo sensu ἐπιτιμᾶν orator nusquam usurpavit, sensu solito in hac ipsa oratione usus §§ 110, 148. Ipse laudat Herodot. vi 38 τὸν ἀδελφεὸν...ἐπιτιμέων, *in fratris mortui ampliorem honorem*, et Isocr. Evag. 42 οὔτ' ἐκόλαζεν οὔτ' ἐπετίμα τοὺς πολίτας. Codicum errorem e litteris ετι duplicatis ortum fuisse recte indicavit Weil. [g] εὐεργ.: εὐηργ. corr. F (D W Wr). [h] δεῖν ᾤοντ' scripsit Blass: ᾤοντο δεῖν tribus brevibus praepositis ceteri. [i] οὐκ οὖν Z, οὔκουν V, interrogationis signo in fine sententiae addito. [k] μενοῦσιν Tournier, *Ex. crit.* p. 99 (W). [l] ἀφαιρήσεται B, in scholiis p. 493, 7, C G V (Blass, laudato Dionys. *Comp.* p. 43 ἀφαιρήσομαι ἀντὶ τοῦ ἀφαιρεθήσομαι): ἀφαιρεθήσεται vulgo. [m] ἐτελεύτησε A F (Bl): τετελεύτηκε vulgo, tribus brevibus collocatis. [n] 'Acute vidit Dobraeus spuria esse verba μηδεμίαν—μνείαν et unde irrepserint ostendit, nempe ex pag. 471, 5.... Quo minus dubites considera τούτων. In loco genuino ταῦτα sunt *benefacta*, propter quae data est a populo ἡ ἀτέλεια. In loco spurio ταῦτα refertur ad τοσαῦτα ὅσων ἀκηκόατε praeter Oratoris sententiam' Cobet (W). τούτων tantum secludit Bl. [nn] ἀφίκηται Bl cum Aristid. i 511. [o] 'In his τειχίζειν εἰπὼν est τειχίζειν κελεύσας, unde fit ut alterum κελεύσας sine mora sit inducendum' Cobet. [p] ἐκεῖ om. Apsinis ix 520 codex Aldinus, habet eiusdem codex Parisinus; seclusit Bl. [q] τοὺς σκ. vulg., B 1824.

[εὐεργ]έτην Ἐρυθραίων [καὶ π]ρόξενον, καὶ προε[δρί]ην αὐτῷ ε[ἶ]ναι ἐν Ἐρυ[θρ]ῇσιν καὶ ἀτέλειαν [πά]ντων χρημάτων καὶ [ἐ]σαγωγῆς καὶ ἐξαγωγῆς [καὶ] πολέμου καὶ εἰρήνης· [κ]αὶ Ἐρυθραῖον εἶναι [ἂν] βούληται· εἶναι δὲ [ταῦ]τα καὶ αὐτῷ καὶ ἐκ[γόνοις]· ποιήσασθαι δὲ [αὐτοῦ ε]ἰκόνα χαλκῆν [ἐπίχρυσον] καὶ στῆσαι [δημοσίᾳ Lebas] or [οὗ ἂν δόξῃ Dittenberger] Κόνωνι. [ἡ βουλὴ] καὶ [ὁ δῆμος.] Hicks, *Manual*, no. 70; Dittenberger, *Sylloge*, 53.

οὐκοῦν αἰσχρόν ... εἰ ..μὲν ... δὲ] Cf. §§ 12, 24, 47, 81. Gebauer p. 191—3.

παρὰ τοῖς ἄλλοις...παρ' ὑμῶν] The use of παρὰ with the dative, implying rest at a place, is probably due to the proximity of μένουσιν. παρ' ὑμῶν, on the other hand, implies that the gifts *proceed from* the givers. Cf. § 35. **τοῦτ'**, this particular item, namely the exemption; cf. §§ 120, 146, 148.

§ 72. **ἡ τῶν τειχῶν ἀνάστασις]** Xen. *Hell.* iv 8 § 9 f., after the battle of Cnidus.

§ 73. **λέγεται]** On this form of introducing historical facts, cf. § 11. The facts are narrated in Thuc. i 90 f., and in Corn. Nepos, *Them.* 3.

εἰπών, parallel in sense, and in construction, with κελεύσας. πέμπειν depends on κελεύειν, while ἀρνεῖσθαι, κελεύειν and παραινεῖν are all, like οἴχεσθαι, dependent on λέγεται.

74 σαι λέγεται[r]. φημὶ τοίνυν ἐγώ (καὶ πρὸς Διός, ἄνδρες[s] Ἀθηναῖοι, μηδεὶς φθόνῳ τὸ μέλλον[t] ἀκούσῃ, ἀλλ' ἂν ἀληθὲς ᾖ[u] σκοπείτω), ὅσῳ τὸ φανερῶς τοῦ λάθρᾳ κρεῖττον, καὶ τὸ νικῶντας τοῦ[v] παρακρουσαμένους πράττειν ὁτιοῦν ἐντιμότερον, τοσούτῳ κάλλιον Κόνωνα τὰ τείχη στῆσαι Θεμιστοκλέους· ὁ μὲν γὰρ λαθών, ὁ δὲ νικήσας τοὺς κωλύσοντας αὖτ'[x] ἐποίησεν. οὐ τοίνυν ἄξιον τὸν τοιοῦτον ὑφ' ὑμῶν ἀδικηθῆναι, οὐδ' ἔλαττον σχεῖν τῶν ῥητόρων τῶν διδαξόντων ὑμᾶς, ὡς ἀφελέσθαι τι χρὴ τῶν ἐκείνῳ δοθέντων.

75 Εἶεν. ἀλλὰ νὴ Δία τὸν παῖδα τὸν[y] Χαβρίου περιίδωμεν ἀφαιρεθέντα τὴν ἀτέλειαν, ἣν ὁ πατὴρ αὐτῷ δικαίως παρ' ὑμῶν λαβὼν κατέλιπεν. ἀλλ' οὐδέν' ἀνθρώπων εὖ φρονοῦντ' οἶμαι ταῦτ' ἂν φῆσαι καλῶς ἔχειν. ἴστε μὲν οὖν ἴσως καὶ ἄνευ τοῦ παρ' ἐμοῦ λόγου, ὅτι σπουδαῖος Χαβρίας ἦν ἀνήρ, οὐ μὴν κωλύει γ' οὐδὲν
76 κἀμὲ διὰ βραχέων ἐπιμνησθῆναι τῶν πεπραγμένων αὐτῷ. ὃν μὲν οὖν τρόπον ὑμᾶς ἔχων πρὸς ἅπαντας Πελοποννησίους παρετάξατ'

[r] λέγεται S A, Hermogenes iii 171, Apsines ix 520 (Z V W Wr Bl): λέγεται Λακεδαιμονίους L (B D). Aristides (ix 401), a Voemelio et Weilio commemoratus, locum nostrum leviter tangit sed oratoris verba non revera attulit. [s] ἄνδρες S O (V W Wr Bl): ὦ ἄνδρες L, vulgo (Z D). [t] τὸ μέλλον ῥηθήσεσθαι ἀκούσῃ (hiatu admisso) sine causa postulat Cobetus ad Hyperidem, p. 72. [u] ἂν ἀληθὲς ᾖ codd.: τἀληθὲς Rh. iv 528 (Bl, collato 22 §§ 22 et 54 § 32). [v] ᾖ Isidorus, Ep. v 465, qui locum affert (Bl, qui inde etiam τὸ ante νικῶντας seclusit). [x] αὖτ' S, ταῦτ' A, ταὐτὸ τοῦτ' L et vulgo (quod e § 73 ad init. irrepsisse indicavit Weil). [y] τὸν L A: τοῦ S et vulg. (V).

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§ 74. **τὸ μέλλον**] 'what I am about to say'. *F. L.* 179, ὁ μέλλων λογος, and Thuc. vi 76, where τὴν παροῦσαν δύναμιν τῶν Ἀθηναίων is contrasted with τοὺς μέλλοντας ἀπ' αὐτῶν λόγους.

τὸ φανερῶς τοῦ λάθρᾳ] sc. πράττειν ὁτιοῦν.

παρακρουσαμένους] contrasted with νικῶντας as in *Macart.* Or. 43 § 33 οὐκ ἐνίκησεν ἀλλὰ παρεκρούσατο. Harpocr. παρακρούεται· ἀντὶ τοῦ ἐξαπατᾷ. πολὺ δέ ἐστι παρὰ τοῖς ἄλλοις Ἀττικοῖς καὶ παρὰ Δημοσθένει ἐν τοῖς Φιλιππικοῖς (Or. 2 § 5; 6 §§ 23, 36; cf. 15 §§ 8, 20, 74; 24 § 79; 29 § 1, &c.). μετῆκται δὲ τοὔνομα ἀπὸ τοῦ τοὺς ἱστάντας (weighing) τι ἢ μετροῦντας κρούειν τὰ μέτρα καὶ διασείειν ἕνεκα τοῦ πλεονεκτεῖν· καὶ ὡς Σοφοκλῆς που· ὡς μήτε κρούσῃς, μήθ' ὑπὸ χεῖρα βάλῃς. Aelian, *Var. Hist.* 47 describes Themistocles as κλέπτων τὴν τῶν Ἀθηναίων τείχισιν.

τῶν ῥητόρων] 146.

§ 75. **τὸν παῖδα τὸν Χαβρίου**] § 1.

§ 76. **ὑμᾶς ἔχων**] 'in command of *yourselves*', i.e. in command of Athenians, as contrasted with the Persians whom Conon victoriously led against the Lacedaemonians at Cnidus.

ἅπαντας Πελοποννησίους] The orator refers to the aid given by Athens to Thebes in resisting the Lacedaemonians under Agesilaus, B.C. 378. Diodorus, xv 31, reckons among the Peloponnesian allies of Sparta, the Arcadians, Eleans, Achaeans, Corinthians, Sicyonians, Phliasians and the inhabitants of Akte. Among the other allies were the Megarians, Acarnanians, Phocians, Locrians, Olynthians, and Thracians.

παρετάξατ', 16 § 6 πρὸς οὓς παρεταττόμεθ' ἐν Μαντινείᾳ, ib. 10 ὑπὲρ ἧς (Εἰρήνης) ἐκινδυνεύσατε καὶ παρετάξασθε, 15 § 24 πρὸς τίνας...παραταξόμεθα; In this engagement Chabrias ordered his troops to await the attack 'pointing their spears against the enemy and resting their shields upon one knee' (Thirlwall). Nepos, *Chabr.* 1, 'Hic quoque in summis habitus est ducibus resque multas memoria dignas gessit. Sed ex his elucet maxime inventum eius in proelio quod apud Thebas fuit, cum Boeotiis subsidio venisset. Namque in eo victoria fidente summo duce Age-

ἐν Θήβαις, καὶ ὡς Γοργώπαν ἀπέκτεινεν ἐν Αἰγίνῃ, καὶ ὅσ' ἐν Κύπρῳ τρόπαι' ἔστησεν[a] καὶ μετὰ ταῦτ' ἐν Αἰγύπτῳ, καὶ ὅτι πᾶσαν ἐπελθὼν ὀλίγου δέω λέγειν χώραν, οὐδαμοῦ τὸ τῆς πόλεως ὄνομ' οὐδ' αὐτὸν κατήσχυνεν, οὔτε πάνυ ῥᾴδιον κατὰ τὴν ἀξίαν εἰπεῖν, πολλή τ' αἰσχύνη λέγοντος ἐμοῦ[a] ταῦτ' ἐλάττω φανῆναι τῆς ἐν ἑκάστῳ νῦν περὶ αὐτοῦ δόξης ὑπαρχούσης. ἃ δ' οὐδαμῶς ἂν εἰπὼν οἶομαι[b] μικρὰ ποιῆσαι, ταῦθ' ὑπομνῆσαι πειράσομαι. ἐνίκησεν[c] μὲν τοίνυν Λακεδαιμονίους ναυμαχίᾳ[d] καὶ πεντήκοντα πη

[a] ἔστησεν S (v wr Bl) : ἔστησε. [a] ἐμοῦ delere vult Bl. [b] οἶομαι S L A (v Bl) : οἶμαι vulg. (z B D wr). [c] ἐνίκησεν S (v wr Bl) : ἐνίκησε. [d] ναυμαχῶν Aristides ix 388 (Bl).

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silao, fugatis iam ab eo conductitiis catervis, reliquam phalangem loco vetuit cedere, obnixoque genu scuto proiecta hasta impetum excipere hostium docuit. Hoc usque eo tota Graecia fama celebratum est, ut illo statu Chabrias sibi statuam fieri voluerit, quae publice ei ab Atheniensibus in foro constituta est' (cf. Ar. *Rhet.* iii 10 § 7). Diodorus xv 32, Polyaenus ii 1, 2 (Rehdantz, *vitae Iphicratis Chabriae Timothei*, 52 f.).

ἐν Θήβαις] according to Diodorus *l.c.*, 'twenty stadia from Thebes'.

Γοργώπαν] The Spartan harmost in Aegina, who harassed the neighbouring coast by means of privateers. An Athenian force was surrounded before Aegina; but Chabrias, on his way to Cyprus, succeeded in landing unexpectedly on the island, killing Gorgopas, and once more opening the sea to the Athenians (Curtius, *H. G.* iv 266 Ward), B.C. 388. Xen. *Hell.* v 1 §§ 1—13; Polyaenus iii 2 § 12.

ἐν Κύπρῳ] Chabrias was sent to Cyprus in 388 to aid Evagoras against Persia. Xen. *Hell.* v 1 § 10, Nepos, *Chabr.* 2, 2. Rehdantz, *l.c.* p. 35 f.; Curtius, *H. G.* iv 277.

ἐν Αἰγύπτῳ] Chabrias went to Egypt twice: (1) in 380, at the invitation of king Akoris, to take the command against Persia (Diodorus xv 29); and (2) at that of king Tachos, in 361 (*ib.* 92). Rehdantz, pp. 40, 161 ff. There is a fragmentary inscr. respecting envoys sent by the latter king to Athens (Hicks, *Manual*, no. 95), and another on a monument set up by Greek mercenaries who are supposed to have been those who joined in the second expedition of Chabrias. To the same campaign belong the Χαβρίου χάραξ and a Χαβρίου κώμη in the Delta, mentioned by Strabo, pp. 760, 803 (Hicks, *l.c.*, no. 96).

ὀλίγου δέω λέγειν] modifying **πᾶσαν**, though separated from it by **ἐπελθών**. 'Traversing, as he did, almost every country'. For the personal use of **δέω**, cf. § 58.

ἐλάττω—ὑπαρχούσης] Or. 14 *Symm.* § 1 *τὴν δ' ἐκείνων ἀρετὴν ἐλάττω τῆς ὑπειλημμένης παρὰ τοῖς ἀκούουσι φαίνεσθαι ποιοῦσιν.* Thuc. ii 35 § 2 *χαλεπὸν γὰρ τὸ μετρίως εἰπεῖν ἐν ᾧ μόλις καὶ ἡ δόκησις τῆς ἀληθείας βεβαιοῦται. ὅ τε γὰρ ξυνειδὼς καὶ εὔνους ἀκροατὴς τάχ' ἂν τι ἐνδεεστέρως πρὸς ἃ βούλεταί τε καὶ ἐπίσταται νομίσειε δηλοῦσθαι.*

ἐν ἑκάστῳ] 'in each person's opinion'. Weil points out that Aristides, in his quotation of this passage (ix 371 Walz) has *παρ' ἑκάστῳ*. *ἑκάστῳ* is not neuter (*sc.* *ἔργῳ*) as implied in Benseler's rendering, *ob jeder dieser Thaten*. This would require *ἐφ' ἑκάστῳ*.

§ 77. **ναυμαχίᾳ**] *Aristocr.* 198 *τὴν περὶ Νάξου ἐνίκα ναυμαχίαν* **Χαβρίας**. Aeschin. *Ctes.* 243 *διὰ τί τὰς δωρειὰς αὐτοῖς* (Chabrias, Iphicrates, Timotheus) *ἔδοσαν καὶ τὰς εἰκόνας ἔστησαν...Χαβρίᾳ μὲν διὰ τὴν περὶ Νάξον ναυμαχίαν.* B.C. 376. Xen. *Hell.* v 4 § 61; Plut. *Phocion* 6; Diodorus xv 34 ff. The last states that the Lacedaemonians lost, not 49, but 32 ships, including 8 that were captured together with their crews. The Athenians lost 18; so that the number of Spartan vessels captured, according to Demosthenes, is nearly equivalent to those lost on both sides, according to Diodorus. A. Schaefer, *Dem.* i 36^{1}, 41^{2}; Curtius *H. G.* iv 370 Ward.

Ships captured by Chabrias are mentioned in the naval archives of Athens, CIA ii 789^{a} 20^{b} 51, 70, and in ii 789^{b} 78, 82 p. 514.

μιᾶς δεούσας ἔλαβ' αἰχμαλώτους τριήρεις, εἶλε δὲ τῶν νήσων τούτων[e] τὰς πολλὰς καὶ παρέδωκεν ὑμῖν καὶ φιλίας[f] ἐποίησ' ἐχθρῶς ἐχούσας πρότερον, τρισχίλια δ' αἰχμάλωτα σώματα δεῦρ' ἤγαγε, καὶ πλέον[g] ἢ δέκα καὶ ἑκατὸν τάλαντ' ἀπέφην' ἀπὸ τῶν πολεμίων. καὶ τούτων πάντων ὑμῶν τινὲς οἱ πρεσβύτατοι[h] μάρτυρές εἰσί μοι. πρὸς δὲ τούτοις ἄλλας τριήρεις πλέον[i] ἢ εἴκοσιν εἶλε κατὰ μίαν καὶ δύο λαμβάνων, ἃς ἁπάσας εἰς τοὺς ὑμετέρους λιμένας
78 κατήγαγεν. ἐνὶ δ' <ἐν> κεφαλαίῳ[j] μόνος τῶν πάντων στρατηγῶν οὐ πόλιν, οὐ φρούριον, οὐ ναῦν, οὐ στρατιώτην ἀπώλεσεν οὐδέν' ἡγούμενος ὑμῶν, οὐδ' ἔστιν οὐδενὶ τῶν ὑμετέρων ἐχθρῶν τρόπαιον οὐδὲν ἀφ' ὑμῶν τε[k] κἀκείνου, ὑμῖν δ' ἀπὸ πολλῶν πόλ' ἐκείνου

[e] τούτων 'non est ad rem; verti quidem potest *horum*, scil. Lacedaemoniorum; sed melius abesset' Markland: om. Aristides. τοσούτων? [f] φιλίας S L: φίλας vulg. [g] πλεῖν Wr. [h] οἱ πρεσβύτατοι secludit Cobet, collato p. 540, 13, καὶ ταῦτ' ἐστὶ μὲν παλαιά, ὅμως δέ τινας ὑμῶν μνημονεύειν οἶμαι. οἱ πρεσβύτεροι var. in P et supra versum in F. Weilius, qui Cobetum sequitur, indicat potuisse oratorem ὑμῶν οἱ πρεσβύτεροι scribere. 'Vulgatam tuetur pronomen τινές, quod omittendum erat, si orator omnino maiores natu, non aetate maxime provectos, antestari vellet. Sic p. 472, 21: ἃ παρ' ὑμῶν τῶν πρεσβυτέρων αὐτὸς ἀκήκοα. Nostro loco quum Demosthenes annos testium accuratius definiendos putaverit, τινὲς recte additum est. Nam id aetatis pauci erant superstites qui ταῦτα πάντα vivendo attigissent' (Schaefer). [i] πλεῖν (Wr Bl): πλέον codd. [j] ἐνὶ δ' ἐν κεφαλαίῳ scripsit Bl: ἐνὶ δὲ κεφαλαίῳ, brevibus quinque continuatis, vulgo. [k] τε 'addidi ex F et sententiae et numerorum causa...ἀφ' ὑμῶν per se falsissimum; itaque quam arctissime cum κἀκείνου copulandum erat' (Blass).

τῶν νήσων τούτων] 'those islands', i.e. in the neighbourhood of Naxos, implied, though not actually expressed, in the previous context. The fleets met in the broad sound between Naxos and Paros. Among the islands which Chabrias secured were Peparethos and Skiathos, Diod. xv 30. The Athenian confederacy was joined by Paros (*Bundesurkunden* A, 89), and also by Naxos itself (A. Schaefer, *Dem.* i 42). τούτων cannot well be applied to the Lacedaemonians, as implied in Voemel's rendering *insularum illorum*.

αἰχμάλωτα σώματα] contrasted with αἰχ. τριήρεις. For this use of σώματα, cf. Or. 34 § 10 ἀπώλεσε πλέον ἢ τριακόσια σώματα ἐλεύθερα. In later Gk. σώματα was used in the same sense as σώματα δοῦλα (Pollux iii 78; Rutherford's *Phrynichus*, p. 474).

ἀπέφηνεν] 'brought in' to the treasury. The verb is applied to formal returns of money, as in p. 819, 13 and 821, 6.

οἱ πρεσβύτατοι] More than 20 years had elapsed since the fight off Naxos, but the words τούτων πάντων do not refer to that exploit alone. The earliest date in the military career of Chabrias is 393, when he was appointed to succeed Iphicrates, Diodor. xiv 92 (Rehdantz, p. 16).

§ 78. **οὐ στρατιώτην ἀπώλεσεν**] Attempts are made to explain away this exaggerated expression by understanding ἀπώλεσεν, 'lost by his own fault', 'needlessly sacrificed', 'threw away' (so Westermann in his earlier ed.), or by limiting στρατιώτην to Athenian citizens serving under him. But it seems best (with Weil) to accept it simply as a rhetorical hyperbole. Cf. 82. The general sense of the context reminds one of the eulogy in Tennyson's *Ode on the death of the Duke of Wellington:* 'For this is England's greatest son, He that gain'd a hundred fights, Nor ever lost an English gun'.

ἀφ' ὑμῶν] as a token of victory over yourselves, the trophy being formed of spoils taken *from* the enemy. Thus the golden shields decorated by Athens at Delphi bore the inscription Ἀθηναῖοι ἀπὸ Μήδων καὶ Θηβαίων, Aeschin. 3 § 116 quoted by Rosenberg. So of the Etruscan spoils dedicated by Hiero to Zeus, ἀπὸ Κύμας (Hicks, no. 15).

τρόπαιον ἱστάναι is sometimes, how-

στρατηγοῦντος. ἵνα δὲ μὴ λέγων παραλίπω τι τῶν πεπραγμένων αὐτῷ, ἀναγνώσεται γεγραμμένας ὑμῖν τάς τε ναῦς ὅσας ἔλαβεν καὶ οὗ ἑκάστην, καὶ τῶν πόλεων τὸν ἀριθμὸν καὶ τῶν χρημάτων τὸ πλῆθος, καὶ τῶν τροπαίων οὗ[1] ἕκαστον. λέγε.

ΠΡΑΞΕΙΣ ΧΑΒΡΙΟΥ.

Δοκεῖ τισὶν ὑμῶν, ὦ ἄνδρες δικασταί[m], οὗτος ὁ τοσαύτας πόλεις 79
λαβὼν καὶ τριήρεις τῶν πολεμίων ναυμαχίᾳ νικήσας, καὶ τοσούτων
481 καλῶν αἴτιος ὤν, αἰσχροῦ δ' οὐδενὸς τῇ πόλει, ἄξιος εἶναι ἀπο-
στερηθῆναι τὴν ἀτέλειαν, ἣν εὕρετο παρ' ὑμῶν καὶ τῷ υἱεῖ
κατέλιπεν; ἐγὼ μὲν οὐκ οἶομαι[n]. καὶ γὰρ ἂν ἄλογον εἴη· μίαν
μὲν πόλιν εἰ[o] ἀπώλεσεν ἢ ναῦς δέκα μόνας[p], περὶ προδοσίας ἂν
αὐτὸν εἰσήγγελλον οὗτοι, καὶ εἰ[o] ἦλω, τὸν ἅπαντ' ἂν ἀπωλώλει[q]
χρόνον· ἐπειδὴ δὲ τοὐναντίον ἑπτακαίδεκα μὲν[r] πόλεις εἷλεν, ἑβδομή- 80
κοντα δὲ ναῦς ἔλαβε[s], τρισχιλίους δ' αἰχμαλώτους, δέκα δὲ καὶ
ἑκατὸν τάλαντ' ἀπέφηνε[t], τοσαῦτα δ' ἔστησε[u] τρόπαια, τηνικαῦτα

[1] *τροπαίων, οὗ* vulg. 'Interpunctionem vulgo post *τροπαίων* positam ante proximum *καὶ* transtuli, qui si *τροπαίων* coniungitur cum *πλῆθος*, expectamus *καὶ οὗ* loco *οὗ*, ut supra legitur. Genitivus nobis pendere videtur ab *ἕκαστον*. Sufficit superius *πολλά'*. Voemel (W Wr). [m] *δικασταί* S O P (V W Wr Bl): *Ἀθηναῖοι* L et vulg.; propter hiatum fortasse delendum censet Bl. [n] *οἶομαι* S L vulgo (Z V Bl): *οἴμαι* A B O (D W Wr). [o] *μίαν μὲν πόλιν ἀπώλεσεν—μόνας;—καὶ ἑάλω*; editores Turicenses, falso arbitrati *εἰ* in S omissum esse. [p] *μόνας* propter tres breves seclusit Bl, collato § 20 (ubi post *πέντε* in quibusdam *μόνον* additum) et 22 § 63; 47 § 11; 1 § 27. Idem et supra (*γὰρ ἂν ἄλογον*) et infra (*περὶ προδοσίας*) quinque breves intactas reliquit. [q] *ἀπωλώλει* S L O etc.: *ἀπολώλει* vulgo (Z B). [r] *μὲν* vulgo (B D W Wr Bl): om. S et L[1] soli. [s] *ἔλαβε* (Z D Bl): *-ν* codd. (V W Wr). [t] *ἀπέφηνε* (Z D W Wr Bl): *-ν* codd. (V W). [u] *ἔστησε* (Z D W Wr Bl): *-ν* codd. (V W).

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ever, followed by *κατά τινος* (Lys. 18 § 3) or by the genitive alone (Lys. 2 § 25).

λέγων] 'in my speech', *μὴ* going with *παραλίπω*.

αὐτῷ] § 11.

οὗ] here, and below, means *ubi*.

τροπαίων] dependent not on *τὸ πλῆθος*, but on *ἕκαστον*.

ΠΡΑΞΕΙΣ ΧΑΒΡΙΟΥ] a recital of his exploits, probably drawn up from official records, without being itself of an official character.

§ 79. **πόλιν εἰ ἀπώλεσεν...περὶ προδοσίας ἂν αὐτὸν εἰσήγγελλον**] Lycurgus § 59 *οὐκ ἐνοχός ἐστι τῇ προδοσίᾳ· οὔτε γὰρ νεωρίων κύριος οὔτε πυλῶν οὔτε στρατοπέδων οὐθ' ὅλως τῶν τῆς πόλεως οὐδενός.* Hyperides, *Eux.* col. 18 *εἰσηγγέλλοντο... οἱ μὲν ναῦς αἰτίαν ἔχοντες προδοῦναι, οἱ δὲ πόλεις Ἀθηναίων*, and col. 23 (where among the grounds on which anyone might be impeached are the following) *ἐάν τις πόλιν τινὰ προδῷ ἢ ναῦς ἢ πεζὴν ἢ ναυτικὴν στρατιάν.*

For the legal process entitled *εἰσαγγελία*, cf. *de Cor.* 249 and *Chers.* 28; Meier and Schömann, *Att. Pro.* iii § 7 p. 312 Lipsius, and Hager's art. in *Journal of Philology*, iv 74—112. Cf. Wayte on *Tim.* § 63.

οὗτοι, our opponents. **τὸν ἅπαντα χρόνον.** The crime of high treason was punished by death and confiscation of property and by loss of civil rights affecting all the descendants of the traitor for all time. (Xen. *Hell.* i 7 §§ 20, 22, Lycurgus §§ 113, 127, Lysias *Philon* § 26.)

ἀπωλώλει] Veitch, *Gk. Verbs* p. 416.

§ 80. **ἑβδομήκοντα**] 49 + more than 20 (§ 77).

τηνικαῦτα δ'] In Attic prose the use of *δὲ* in apodosis is generally confined to instances where it succeeds an emphatic demonstrative adverb or pronoun. See Buttmann's Appendix to the *Midias*, and Kühner ii § 533.

δ' οὐκ ἔσται κύρι' αὐτῷ τὰ δοθέντ' ἐπὶ τούτοις; καὶ μήν, ὦ ἄνδρες Ἀθηναῖοι, καὶ ζῶν πάνθ' ὑπὲρ ὑμῶν φανήσεται πράξας Χαβρίας, καὶ τὴν τελευτὴν αὐτὴν τοῦ βίου πεποιημένος οὐχ ὑπὲρ ἄλλου τινός, ὥστε δικαίως ἂν οὐ μόνον διὰ τὰ ζῶντι πεπραγμένα φαίνοισθ' εὐνοϊκῶς διακείμενοι πρὸς τὸν υἱὸν αὐτοῦ, ἀλλὰ καὶ διὰ ταύτην. 81 ἄξιον τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, κἀκεῖνο σκοπεῖν, ὅπως μὴ φανούμεθα φαυλότεροι Χίων περὶ τοὺς εὐεργέτας γεγενημένοι. εἰ γὰρ ἐκεῖνοι μέν, ἐφ' οὓς μεθ' ὅπλων ἦλθεν ἐν ἐχθροῦ τάξει, μηδὲν ὧν ἔδοσαν πρότερον νῦν ἀφῄρηνται, ἀλλὰ τὰς πάλαι[y] χάριτας μείζους τῶν καινῶν ἐγκλημάτων πεποίηνται, ὑμεῖς δ', ὑπὲρ ὧν ἐπ' ἐκείνους ἐλθὼν ἐτελεύτησεν, ἀντὶ τοῦ διὰ ταῦτ' ἔτι μᾶλλον αὐτὸν τιμᾶν, καὶ τῶν ἐπὶ ταῖς πρότερον[x] εὐεργεσίαις τι δοθέντων ἀφῃρημένοι φανή- 82 σεσθε, πῶς οὐκ εἰκότως αἰσχύνην ἕξετε; καὶ μὴν καὶ κατ' ἐκεῖνο ἀνάξι' ἂν εἴη πεπονθὼς ὁ παῖς εἰ τῆς[y] δωρειᾶς ἀφαιρεθείη, καθ' ὃ πολλάκις ὑμῶν στρατηγήσαντος Χαβρίου, οὐδενὸς πώποθ' υἱὸς 482 ὀρφανὸς δι' ἐκεῖνον ἐγένετο, αὐτὸς δ' ἐν ὀρφανίᾳ τέθραπται διὰ τὴν πρὸς ὑμᾶς φιλοτιμίαν τοῦ πατρός. οὕτω γὰρ ὡς ἀληθῶς ἔμοιγε φαίνεται βεβαίως πως[z] ἐκεῖνος φιλόπολις[a], ὥστε δοκῶν καὶ ὢν

[y] πάλαι S L O Y: παλαιὰς vulg. (Z B). [x] πρότερον S L (Z D V W Wr): προτέραις corr. F, X[1], t, v (Bl). [y] aut εἴ τι τῆς scribendum aut clausulam totam εἰ τῆς—ἀφαιρεθείη delendam suspicatus est Dobraeus. 'Expelle inficetum additamentum. Suo se indicio sciolus prodidit, qui genitivum τῆς δωρεᾶς aequalium more dixerit quum veteres constanter accusativo in ea re utantur' (Cobet). ἀφ. 'constructum est cum genitivo partitivo, donationis partem (immunitatem) significante; cf. §§ 66, 83, 133, 146' (Voemel). [z] πως G. H. Schaefero suspectum. 'Expungenda est molesta vocula πως id est τρόπον τινά, quae est extenuantis et vim elevantis, quo nihil est a Demosthenis mente et sententia alienius' Cobet. [a] φιλόπολις S L (edd.); ἐγένετο φιλόπολις O V F vulgo (ὡς—φαίνεται in parenthesi inconcinne positis, et novem brevibus sine causa collocatis).

φανήσεται] In the similar passage in § 30, we find ἂν σκοπῆτε, which Wolf would understand *here*.

τὴν τελευτὴν κ.τ.λ.] Chabrias lost his life at the siege of Chios (Plutarch's *Phocion* 6, Diodor. xvi 7, and Nepos, *Chabr.* 4) in the year 357 (A. Schaefer's *Dem.* i 149[1]=169[2]). *Introd.* § 1.

§ 81. **φαυλότεροι Χίων**] not 'more ignoble', but 'less noble' than the Chians. Or. 15 *Rhod.* § 22 οὐ γὰρ ἂν ὑμᾶς βουλοίμην, δόξαν ἔχοντας τοῦ σώζειν τοὺς ἀτυχοῦντας ἀεί, χείρους Ἀργείων ἐν ταύτῃ τῇ πράξει φανῆναι. § 37.

ἐν ἐχθροῦ τάξει] 'in the rank of an enemy'; the phrase ἐν...τάξει, here used in its literal sense, is frequently applied metaphorically.

τῶν...τι δοθέντων] For the position of τι, cf. §§ 135, 146.

§ 82. **τῆς δωρειᾶς**] partitive gen., as in § 66 τῶν ἀτυχημάτων ἀφαιρεῖν.

δι' ἐκεῖνον] Cf. § 78 οὐ στρατιώτην ἀπώλεσεν.

ἐν ὀρφανίᾳ τέθραπται] 'has had to be brought up as an orphan'. The phrase is quite consistent with his being still under age.

οὕτω γὰρ—φιλόπολις] 'For in very truth he appears to me to have been so singularly patriotic'. πως, *nescio quomodo*, implies the absence of any special standard by which such devotion could be judged (West.). Voemel quotes Xenophon *Cyrop.* i 3 § 8 σπουδαίως καὶ εὐσχημόνως πως, and μάλα πως, *nescio quam vehementer*, ib. iv 5 § 17.

φιλόπολις] An exception to the rule by which Demosthenes avoids the collocation of more than two short syllables.

ἀσφαλέστατος στρατηγὸς ἅπάντων, ὑπὲρ μὲν ὑμῶν, ὅτε ὑμῖν, ἐχρῆτο τούτῳ, ὑπὲρ αὐτοῦ δ', ἐπειδὴ τὸ καθ' αὑτὸν ἐτάχθη κινδυνεύειν, παρεῖδε καὶ μᾶλλον εἵλετο αὐτῷ ζῆν, ἢ καταισχῦναι τοὺς παρ' ὑμῶν ἐπαίνους οὓς αὐτῷ ἐψηφίσασθε; εἰ δ' ὑπὲρ ὧν ἐκεῖνον φῶτε δεῖν ἀποθνήσκειν ἢ κακῶς, τούτῳ ὑμεῖς ἀφελόμενοι τὸν νῦν αἰῶνα; καὶ τί φήσομεν, ὦ ἄνδρες Ἀθηναῖοι, ὅταν τὰ μὲν πρώτα ὑστεροῦν δόξωμεν τοῖς ἀνδράσιν, ἃ ὑπὲρ ὑμῶν στρατηγῶν ἐκείνων ἕκαστος, τῶν δ' ἐπὶ τούτοις δωρεῶν ἀδικήματός τι φαίνηται; οὐ σκέψεσθε, ὦ ἄνδρες Ἀθηναῖοι, καὶ λογιεῖσθε, ὅτι νῦν οὐχ ὁ νόμος κρίνεται πότερον ἔστ' ἐπιτήδειος ἢ οὔ, ἀλλ' ὑμεῖς δοκιμάζεσθ' εἰ' ἐπιτηδείοι πάσχειν ἔστ' εἰ τὸν λοιπὸν χρόνον εἴτε μή;

Λαβὲ δὴ καὶ τὸ τῷ Χαβρίᾳ ψήφισμα ψηφίσασθαι. ὅρα δὴ καὶ σκόπει· δεῖ γὰρ αὖτ' ἐνταῦθ' εἶναι που.

[b] τὸν υἱὸν αὐτοῦ propter tres breves delendum suspicatur Rl. collato in proximis ἀφῃρημένον τι φαίνηται. [c] ἃ στρατηγῶν ὑπὲρ ὑμῶν propter tres breves et constructionem ancipitem scribendum suspicatur Rl. [d] πότερ' propter tres breves scripsit Rl.

Such a collocation is allowed when the short syllables are all contained in a single word (Blass, *Att. Ber.* iii 100, 102). But we may be sure that Dem. would not have written *ἐγένετο φιλόπολις*, which is ascribed to him by some MSS. Lysias, on the other hand, has no objection to the consecutive use of several short syllables, e.g. Or. 30 § 20 *αὐτίκα πέρυσιν ἱερὰ ἄθυτα*.

τούτῳ] sc. *τῷ ἀσφαλέστατος στρατηγὸς εἶναι*.

τὸ καθ' αὑτόν] § 43. **ἐτάχθη**, at the siege of Chios Chabrias was not himself in command (as stated by Diodorus xvi 7), but was serving as a trierarch under Chares. Cornelius Nepos 4 'erat in classe Chabrias privatus, sed omnes qui in magistratu erant auctoritate anteibat'. In a decree of 357–6 B.C. referring to the settlement of the Euboean cities after the Athenian expedition to Euboea, a name which has been identified as that of *Χαβρίας* appears among the *στρατηγοί*. The name has been designedly erased, and it has been suggested that Chabrias was appointed a *στρατηγὸς* for the year in question, but owing to some unknown reason did not actually hold office (Foucart, quoted in Dittenberger's *Sylloge*, 86 note 14).

μᾶλλον εἵλετο μὴ ζῆν] Nepos, *Chabr.* 4 'at ille praestare honestam mortem turpi vitae existimans, comminus pugnans telis hostium interfectus est'.

§ 83. **ὑπὲρ ὑμῶν...ἵστησε**] 'set up in your interest, when he was your general', ὑπὲρ ὑμῶν is not to be taken with *στρατηγῶν* alone, as suggested by Wolf who quotes Isocr. *Panegyr.* 154 *ὑπὲρ τῆς Ἀσίας στρατηγήσας τὴν Λακεδαιμονίων ἀρχὴν κατέλυσε*. But it is shewn by Weil that in the passage quoted *ὑπὲρ* retains its ordinary meaning, as is proved by the antithesis *ὑπὲρ τῆς Ἑλλάδος αὐτοὺς καταναυμάχησε*.

οὐ...μή] With the former we have to supply the indic. *ἐστίν*, with the latter the infinitive *πάσχειν*. But this is not the sole ground of the alternation of *οὐ* and *μή*. It is rather because *οὐ* here refers to a *fact* which has a practical bearing on the legal issue now before the Court, while *μὴ* refers to a *question* of a more general kind. Antiphon 5 § 14 *οὐ δεῖ ὑμᾶς ἐκ τῶν τοῦ κατηγόρου λόγων τοὺς νόμους καταμανθάνειν, εἰ καλῶς ὑμῖν κεῖνται ἢ μή, ἀλλ' ἐκ τῶν νόμων τοὺς τοῦ κατηγόρου λόγους, εἰ ὀρθῶς καὶ νομίμως ὑμᾶς διδάσκει τὸ πρᾶγμα ἢ οὔ*. Isaeus 8 § 9 *ἀνάγκη τὴν ἐμὴν μητέρα, εἴτε θυγάτηρ ἦν Κίρωνος εἴτε μή, καὶ εἰ παρ' ἐκείνῳ διῃτᾶτο ἢ οὔ, καὶ γάμους εἰ διῃτοῦτο ὑπὲρ ταύτης εἰστίασεν ἢ μή...πάντα ταῦτα συνειδέναι τοὺς οἰκέτας*.

εὖ is, for emphasis, separated from *πάσχειν* and placed after it, as in § 101. This collocation also prevents the hiatus between *ἐπιτήδειοι* and *οὐ πάσχειν*. In § 85 we have *εὖ τινα ποιήσαντα*.

§ 84. **ὅρα δὴ καὶ σκόπει**] addressed to the clerk who is assumed to take some little time in finding the document, while

Ἐγὼ δ' ἔτι[e] τοῦτ' εἰπεῖν ὑπὲρ Χαβρίου βούλομαι. ὑμεῖς[f], ὦ ἄνδρες Ἀθηναῖοι, τιμῶντές ποτ' Ἰφικράτην, οὐ μόνον αὐτὸν ἐτιμήσατ', ἀλλὰ καὶ δι' ἐκεῖνον Στράβακα καὶ Πολύστρατον· καὶ πάλιν Τιμοθέῳ διδόντες τὴν δωρειάν, δι' ἐκεῖνον ἐδώκατε καὶ Κλεάρχῳ καί τισιν ἄλλοις πολιτείαν. Χαβρίας δ' αὐτὸς ἐτιμήθη παρ' ὑμῖν
85 μόνος. εἰ δὴ τόθ', ὅθ' εὑρίσκετο τὴν δωρειάν, ἠξίωσ' ὑμᾶς, ὥσπερ 483
δι' Ἰφικράτην καὶ Τιμόθεον εὖ τινὰς πεποιήκατε, οὕτω καὶ δι' ἑαυτὸν εὖ ποιῆσαι τούτων τινὰς τῶν εὑρημένων τὴν ἀτέλειαν, οὓς

[e] ἐγὼ δ' ἔτι: hinc incipit papyri fragmentum Berolinense, quod U. Wilcken editurus est. [f] ὑμεῖς δ' S et L soli (v).

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the orator adds an additional argument respecting Chabrias. Such a passage gives a vivid effect to the written speech and brings before the eye of the reader an incident connected with its actual delivery. Similarly, in *F. L.* p. 407 § 213 certain witnesses are called, whose evidence is not read until the end of § 214, and meanwhile the orator makes some incidental remarks. Even in speeches that were never delivered such vivid touches are purposely introduced, e.g. in Isocr. *de Perm.* 320 ἀλλὰ γὰρ αἰσθάνομαι, καίπερ ὑπὸ τῆς ὀργῆς βίᾳ φερόμενος, τὸ μὲν ὕδωρ ἡμᾶς ἐπιλεῖπον, and in Cic. *Verr.* II iv § 3 'Canephorae ipsae vocabantur. Sed earum artificem quem? quemnam?—Recte admones; Polycletum esse dicebant'.

Ἰφικράτην...Τιμοθέῳ] Aeschin. 3 § 243 ἐπερώτησον τοὺς δικαστάς, εἰ ἐγίγνωσκον Χαβρίαν καὶ Ἰφικράτην καὶ Τιμόθεον, καὶ πυθοῦ παρ' αὐτῶν διὰ τί τὰς δωρειὰς αὐτοῖς ἔδοσαν καὶ τὰς εἰκόνας ἔστησαν· ἅπαντες γὰρ ἅμα σοι ἀποκρινοῦνται, ὅτι Χαβρίᾳ μὲν διὰ τὴν περὶ Νάξον ναυμαχίαν, Ἰφικράτει δ' ὅτι μόραν Λακεδαιμονίων ἀπέκτεινε, Τιμοθέῳ δὲ διὰ τὸν περίπλουν τὸν εἰς Κέρκυραν. The honours paid to Iphicrates are mentioned in 23 *Aristocr.* § 130 χαλκῆς εἰκόνος οὔσης παρ' ὑμῖν Ἰφικράτει καὶ σιτήσεως ἐν πρυτανείῳ καὶ δωρειῶν καὶ τιμῶν ἄλλων, δι' ἃς εὐδαίμων ἐκεῖνος ἦν, ib. 136; *Mid.* § 62, where Ulpian has this note: πρῶτος γὰρ Ἰφικράτης τιμῶν ἔτυχεν ὧν Ἁρμόδιος καὶ Ἀριστογείτων. Κόνωνος μὲν γὰρ πρώτου χαλκοῦς ἀνδριὰς ἔστη, ἀλλὰ τούτῳ μόνῳ ἐτιμήθη· Ἰφικράτης δὲ καὶ τὰς ἄλλας δωρεὰς τὰς ἐκείνοις ψηφισθείσας ἔλαβεν, ὥστε καί τινα τῶν ἀφ' Ἁρμοδίου δικάσασθαι τῷ Ἰφικράτει περὶ τῶν δωρεῶν, ὡς ἀναξίως λαβόντι (Baiter and Sauppe *Or. Att.* ii 180 *a*; Rehdantz p. 170; Cope on Ar. *Rhet.* ii 23 § 6). Pausanias (I 24 § 7) saw a statue in honour of Iphicrates near the Parthenon.

Στράβακα] one of the foreign mercenaries who, for their services to Athens, received the citizenship. Ar. *Rhet.* ii 23 § 17 καὶ Θεοδέκτης ἐν τῷ νόμῳ, ὅτι πολίτας μὲν ποιεῖσθε τοὺς μισθοφόρους, οἷον Στράβακα καὶ Χαρίδημον, διὰ τὴν ἐπιείκειαν.

Πολύστρατον] a commander of mercenaries under Iphicrates at Corinth. Or. 4 § 23 καὶ πρότερόν ποτ' ἀκούω ξενικὸν τρέφειν ἐν Κορίνθῳ τὴν πόλιν (Ar. *Plut.* 173 and Harpocr. s. v. ξενικὸν ἐν Κορίνθῳ), οὗ Πολύστρατος ἡγεῖτο καὶ Ἰφικράτης καὶ Χαβρίας καὶ ἄλλοι τινές. (Cf. Harpocr. s. v. Πολύστρατος.)

Τιμοθέῳ] *Erot.* § 46 μεγίστης δόξης καὶ πλείστων τιμῶν ἀξιωθείς. Besides other honours, he received the distinction of a public statue, Aesch. 3 § 243 (quoted above); Paus. i 3 § 2 and 24 § 3; Nepos, *Tim.* 2 § 3. Rehdantz, p. 167 f.

Κλεάρχῳ, probably the tyrant of Heraklea (363—352) who was a friend of Iphicrates, and an unworthy disciple of Plato and Isocrates. Isocr. Ep. 7 §§ 12, 13 (*ad Timotheum*, where we learn that Clearchus named one of his sons after Timotheus). Cf. A. Schaefer, *Dem.* i 106[1], 120[2]; and Westermann in *Z. f. d. Alt.* 1844 p. 772.

τισιν ἄλλοις] e.g. Phrasierides and Polysthenes, 23 § 202 πάλιν Τιμοθέου δόξαντός τι ποιῆσαι τῶν δεόντων ὑμῖν, πρὸς τῷ πάνθ' ἃ μέγιστ' ἦν αὐτῷ δοῦναι προσέθηκαν αὐτῷ Φρασιηρίδην καὶ Πολυσθένην, ἀνθρώπους οὐδ' ἐλευθέρους ἀλλ' ὀλέθρους καὶ ταῦτα πεποιηκότας οἷα λέγειν ὀκνήσειεν ἄν τις εὖ φρονῶν.

αὐτὸς...μόνος] Chabrias alone was honoured in his own person, i.e. without any others being rewarded on his account. In § 133, however, we find that his slave Lycidas was made a **πρόξενος**.

[illegible]

[illegible]

[illegible] μάτην τοῖς ποιήσασιν [illegible]

Ἵνα τοίνυν εἰδῆτ', ὦ ἄνδρες Ἀθηναῖοι, [illegible]

[g] πάντας...ὁμοίως coniunxit Reiskius ([illegible]) [illegible] traxerunt F. A. Wolf et Blass qui [illegible] punctioni favere existimat. Idem, [illegible] vult delere. Ego vero haec [illegible] ὁμοίως non in eadem clausula [illegible]. [h] [illegible]

[i] μόνους scripsit Bl collato § [illegible] [illegible] εἰσὶν posuerunt Z D W Bl: omiserunt [illegible] (Voemel).

§ 86. καὶ ὅσ' αὐτοῖς δεδώκατε, 'even what you have granted to those benefactors themselves'.—Ar. *Rhet.* ii [illegible] ('Ιφικράτης ἐν τῇ πρὸς Ἁρμόδιον) εἰ [illegible] ποιῆσαι ἠξίουν τῆς εἰκόνος τυχεῖν ἐὰν ποιήσω, ἔδοτε ἄν· ποιήσαντι δ' ἄρ' οὐ δώσετε; μὴ τοίνυν μέλλοντες μὲν [illegible]χνεῖσθε, παθόντες δ' ἀφαιρεῖσθε.

§ 87. οὓς ἀκηκόατ' ἐστὶν] [illegible] refer to the 'many others' [illegible] orator has not mentioned, [illegible] whom he has, e.g. [illegible] [illegible]

[illegible]

[illegible] W[illegible]

[illegible]

δικαίοις ποιούμεθα τοὺς λόγους πάντας, οὓς[1] λέγομεν πρὸς ὑμᾶς,
καὶ οὐδὲν ἔσθ' ὅ τι τοῦ παρακρούσασθαι καὶ φενακίσαι λέγεται
παρ' ἡμῶν εἵνεκα[m], ἀναγνώσεται τὸν νόμον ὑμῖν, ὃν παρεισφέρομεν 484
γράψαντες ἀντὶ τοῦδε, ὃν οὐκ ἐπιτήδειον εἶναί φαμεν. γνώσεσθε
γὰρ ἐκ τούτου πρόνοιάν τιν' ἔχοντας ἡμᾶς, καὶ ὅπως ὑμεῖς μηδὲν
αἰσχρὸν ποιῆσαι δόξετε, καὶ ὅπως, εἴ τινά τις καταμέμφεται τῶν
εὑρημένων τὰς δωρειάς, ἂν δίκαιον ᾖ, κρίνας παρ' ὑμῖν ἀφαιρήσεται,
καὶ ὅπως, οὓς οὐδεὶς ἂν ἀντείποι μὴ οὐ δεῖν ἔχειν, ἕξουσιν τὰ
89 δοθέντα. καὶ τούτων [πάντων][n] οὐδὲν καινὸν οὐδ' εὕρημ' ἡμέτερον[o],
ἀλλ' ὁ παλαιός, ὃν οὗτος παρέβη, νόμος οὕτω κελεύει νομοθετεῖν,
γράφεσθαι μέν, ἄν τίς τινα τῶν ὑπαρχόντων νόμων μὴ καλῶς
ἔχειν ἡγῆται, παρεισφέρειν δ' αὐτὸν ἄλλον, ὃν ἂν τιθῇ λύων
90 ἐκεῖνον, ὑμᾶς δ' ἀκούσαντας ἑλέσθαι τὸν κρείττω. οὐ γὰρ ᾤετο
δεῖν[p] ὁ Σόλων, ὁ τοῦτον τὸν τρόπον προστάξας νομοθετεῖν, τοὺς
μὲν θεσμοθέτας τοὺς[q] ἐπὶ τοὺς νόμους[r] κληρουμένους, δὶς δοκιμασ-

[1] ὅσους F (B 1824). οὓς—ὑμᾶς secludere volebat Tournier, sine causa ut Weilio videtur. [m] εἵνεκα S vulg.: ἕνεκα L (D). [n] πάντων om. Bl cum Feliciano et Aristide ix 353 Walz, 'quod ne sententiae quidem convenit'. Post οὐδὲν Bl om. ἐστι cum Aristide. [o] Bl. κ. οὐδ' εὕρ. ἐμόν Aristid.; ἡμέτερον καινὸν οὐδ' εὕρημα S L, οὐδ' in L punctis notatum; 'ἡμέτερον καινὸν εὕρημα A F; καινὸν οὐδ' ἡμέτερον εὕρημα (Z B D V W Wr). [p] δεῖν F (D W Wr Bl): om. S L A (B V). [q] τοὺς seclusit Bl, θεσμοθέτας praedicatum arbitratus. [r] ἐπὶ τοῖς νόμοις margo Lambini; §§ 7, 114 et Or. 24 § 56 confert Bl.

turns to the technical and legal side of his argument. See *Introd.* § 5.

ἐπὶ πᾶσι δικαίοις, 'on grounds that are perfectly fair', 8 § 9 and 10 § 17, Aesch. 1 § 178, and 3 § 170.

εἵνεκα, placed like χάριν, after the gen. which it governs, and separated from it by several words, as in Lys. 14 § 32; 20 § 30.

παρεισφέρομεν, introduce for purposes of *comparison with* the law of Leptines. At a later point (§ 97) the alternative statute is more boldly described as a hostile measure, ἀντεισφέρομεν.

καὶ ὅπως...] Of the three objects of the amendment, the third is virtually the same as the first. **μὴ οὐ**, § 8.

§ 89. **ὁ παλαιὸς...νόμος**] The law of Solon, in contrast with that which has led to the confusion described in § 91. Cf. § 99 (West.). See Or. 24 § 33.

γράφεσθαι] 'to bring an indictment against' the existing law. For some account of the regular course of Athenian legislation, see *Introd.* § 4.

παρεισφέρειν κ.τ.λ.] 24 § 34 οὐκ ἐᾷ τοῖς ὑπάρχουσι νόμοις ἐναντίον εἰσφέρειν, ἐὰν μὴ λύσῃ τὸν πρότερον κείμενον, *inf.* 93 λύοντα τοὺς ἐναντίους, and 96.

ὑμᾶς] The decision rested with the *νομοθέται*. It has therefore been supposed that the present speech was delivered before a jury of *νομοθέται*, but it was really delivered before an ordinary jury. 'Illud *ὑμᾶς* nihil aliud significat, quam *homines vestri ordinis:* eiusdem autem ordinis et iudices erant, qui in ordinario *παρανόμων* iudicio sedebant, et nomothetae, qui novas leges probabant sciscebantque, nempe utrique ex Heliastis' (Schömann, *Opusc.* i 242).

§ 90. **Σόλων**] It was maintained by Grote, *H. G.*, chap. xlvi, that the institution of *νομοθέται* did not take place until the time of Pericles. This opinion was refuted by Schömann (*die Verfassungsgeschichte Athens nach G. Grote's History of Greece, kritisch geprüft*, 1854, translated by Mr Bosanquet, and *Opusc.* i 249 and 252).

τοὺς θεσμοθέτας] the six junior archons. **ἐπὶ τοὺς νόμους**, to protect the laws, *de Cor.* 288 *αἱρεθέντες ἐπὶ τὰς ταφάς* (West.). The supervision of all public and private lawsuits, that were not assigned to a special board, belonged to the Thesmo-

θέντας ἄρχειν, ἔν τε τῇ βουλῇ καὶ παρ' ὑμῖν ἐν τῷ δικαστηρίῳ, τοὺς δὲ νόμους αὐτοὺς καθ' οὓς καὶ τούτοις ἄρχειν καὶ πᾶσι[s] τοῖς ἄλλοις πολιτεύεσθαι προσήκει, ἐπὶ καιροῦ τεθέντας ὅπως ἔτυχον[t], μὴ δοκιμασθέντας κυρίους εἶναι. καὶ γάρ τοι τότε μέν, τέως[u] τὸν 91
τρόπον τοῦτον ἐνομοθέτουν, τοῖς μὲν ὑπάρχουσιν νόμοις ἐχρῶντο, καινοὺς δ' οὐκ ἐτίθεσαν[v]· ἐπειδὴ δὲ τῶν πολιτευομένων τινὲς δυνηθέντες, ὡς ἐγὼ πυνθάνομαι, κατεσκεύασαν αὐτοῖς ἐξεῖναι νομοθετεῖν, ὅταν τις βούληται καὶ ὃν ἂν τύχῃ τρόπον, τοσοῦτοι μὲν [οἱ][w]

[s] πᾶσι om. A, seclusit Bl; idem addit 'agnoscere videtur schol. 498, 24 καθ' οὓς εἰσι καὶ οὗτοι ἄρχοντες καὶ πάντες. Cf. etiam Or. 28 § 6'. [t] ἔτυχεν S[1] F (z). ὅπως ἔτυχον, punctis utrimque appositis, D W Wr. [u] τέως codd.: ἕως Priscian. 18 § 298 (D) unde fit ut breves quattuor concurrant. [v] + εἰκῇ W et Herwerden. Bl confert 24 § 140. [w] [οἱ] om. Bl, 'quod non convenit cum τοὺς ἐναντίους quod sequitur'.

thetae, Dem. 34 § 45; Pollux 8, 88; Meier-Schömann, pp. 319—354 (Hermann's *Staatsalt.* § 138, 11). **κληρουμένους**, 'appointed by lot', *not* 'chosen by ballot'.

δὶς δοκιμασθέντας] firstly before the Council, and secondly before a sworn jury. The former δοκιμασία is called an ἀνάκρισις in Dem. *Eubul.* 57 § 66 τοὺς θεσμοθέτας ἀνακρίνετε κ.τ.λ., and Pollux 8, 85 ἐκαλεῖτο δέ τις θεσμοθετῶν ἀνάκρισις, εἰ Ἀθηναῖοί εἰσιν ἑκατέρωθεν ἐκ τριγονίας, καὶ τὸν δῆμον πόθεν, καὶ εἰ Ἀπόλλων ἐστὶν αὐτοῖς πατρῷος καὶ Ζεὺς ἕρκειος, καὶ εἰ τοὺς γονέας εὖ ποιοῦσι, καὶ εἰ ἐστράτευνται ὑπὲρ τῆς πατρίδος, καὶ εἰ τὸ τίμημά ἐστιν αὐτοῖς. The same ἀνάκρισις had to be passed by all the nine Archons (57 § 70).

τούτοις, τοῖς θεσμοθέταις. ἐπὶ καιροῦ τεθέντας—κυρίους εἶναι] 'should be framed at haphazard for the immediate occasion and should be in force without passing any scrutiny'. ἐπὶ καιροῦ, for the passing convenience of those in power at the moment. ὅπως ἔτυχον, here (as commonly) used personally. Most editors separate it from the previous clause and thus make it either an explanation of that clause or an additional detail; but it seems better (with Voemel) not to separate it. We thus get the clause ἐπὶ καιροῦ τεθέντας ὅπως ἔτυχον balanced evenly with μὴ δοκιμασθέντας κυρίους εἶναι. Otherwise, ὅπως ἔτυχον might be contrasted with δοκιμασθέντας.

§ 91. **τέως**, used instead of ἕως, probably to prevent the accumulation of too many short syllables. It is used elsewhere to avoid *hiatus*, *Symm.* 36, *Ol.* ii 21, *Mid.* 16, *F. L.* 326 (Weil).

ἐχρῶντο] 49.

καινοὺς δ' οὐκ ἐτίθεσαν] not 'did not propose', which would require the aorist, but 'were not in the habit of proposing', 'were not constantly proposing', new laws. But even so, it seems an exaggerated statement. It is with a view to removing this exaggeration that Weil suggests the addition of εἰκῇ, a suggestion which Blass (*Bursian's Jahresbericht* 1879 i 279) regards as 'very problematical', and Dareste as *inutile*. The latter adds: 'Il n'y a aucune contradiction à dire qu'on avait une loi de procédure pour la confection des lois, mais qu'on ne s'en servait pas', note (27).

ἐπειδὴ δὲ—] It is difficult to identify precisely the time here referred to. It may be assumed to be later than the restoration of the democracy in 403. **δυνηθέντες**, used absolutely. It is supposed by Benseler that Dem. is thinking mainly of the orator Aristophon, one of the supporters of Leptines' law (§ 146), who used to boast that, during his long career, he had been accused on 75 occasions for bringing forward proposals contrary to the laws (Aesch. 3 § 194), and whose political life began as early as the restoration of the democracy.

ὡς—πυνθάνομαι] a modest way of introducing a reference to a historical event. Cf. § 52.

ὅταν τις βούληται] 'whenever one pleases', at any time in the year, instead of the time fixed by Solon, the beginning of the year (see *Introd.* § 4). **τύχῃ**, personal, sc. ὃν ἂν τύχῃ τις τρόπον νομοθετῶν.

τοσοῦτοι—πέρας ἔχειν] Aesch. 3 § 38 διαρρήδην προστέτακται τοῖς θεσμοθέταις, καθ' ἕκαστον ἐνιαυτὸν διορθοῦν ἐν τῷ δήμῳ τοὺς νόμους, ἀκριβῶς ἐξετάσαντας καὶ σκεψαμένους, εἴ τις ἀναγέγραπται νόμος ἐναντίος ἑτέρῳ νόμῳ ἢ ἄκυρος ἐν τοῖς κυρίοις, ἢ

ἐναντίοι σφίσιν αὐτοῖς εἰσὶν νόμοι, ὥστε χειροτονεῖθ' ὑμεῖς τοὺς
92 διαλέξοντας τοὺς ἐναντίους ἐπὶ πάμπολυν ἤδη χρόνον, καὶ τὸ 485
πρᾶγμ' οὐδὲν μᾶλλον δύναται πέρας ἔχειν[t]· ψηφισμάτων δ' οὐδ'
ὁτιοῦν διαφέρουσιν οἱ νόμοι, ἀλλὰ νεώτεροι[u] οἱ νόμοι[v], καθ' οὓς

[t] ἔχειν S[1] A F: σχεῖν L, quod trium brevium vitandarum causa praetulit Bl.
[u] ἀλλὰ νεώτεροι codd.: 'Manifesto mendosum est νεώτεροι. Memini quum mihi Bakius meus diceret κενώτεροι sibi videri esse legendum [*Mnemosyne* 1856 p. 210, *Hypomnemata* iv 65]. Equidem ἀκυρότεροι conieci, quia non aliter in tali re dicebant omnes quam νόμος κύριος et ἄκυρος' (Cobet). ἀλλ' ἀβεβαιότεροι olim Westermann, ἀλλ' εὐωνότεροι nuper Naber, ἀλλ' ἐναντιώτεροι nuperrime Lipsius, *Meier u. Schömann* p. 430. ἀλλ' ἀλιώτερον (i.e. ματαιότερον) Voemel, coll. Bekkeri Anecd. p. 78 ἀλιότερον. Δημοσθένης κατὰ Λεπτίνου, quod Spengelius (Academ. Bavar. iii 164) ad § 50 rettulit, ubi codices nonnulli habent ἐάν τέ τι συμβῇ ποτὲ ἀλλοιότερον. [v] οἱ νόμοι propter hiatum seclusit Bl.

εἴ που εἰσι νόμοι πλείους ἑνὸς ἀναγεγραμμένοι περὶ ἑκάστης πράξεως. κἂν τι τοιοῦτον εὑρίσκωσιν, ἀναγεγραφότας ἐν σανίσιν ἐκτιθέναι κελεύει πρόσθεν τῶν ἐπωνύμων, τοὺς δὲ πρυτάνεις ποιεῖν ἐκκλησίαν ἐπιγράψαντας νομοθέταις, τὸν δ' ἐπιστάτην τῶν προέδρων διαχειροτονίαν διδόναι τῷ δήμῳ, καὶ τοὺς μὲν ἀναιρεῖν τῶν νόμων, τοὺς δὲ καταλείπειν, ὅπως ἂν εἷς ᾖ νόμος καὶ μὴ πλείους περὶ ἑκάστης πράξεως. Cf. Schöll, *über attische Gesetzgebung*, pp. 115—118.

χειροτονεῖθ'] As the special commissioners for revising the laws were apparently appointed by lot and not elected by the votes of the people, the term χειροτονεῖτε is explained by Westermann as referring to the original vote of the people by which the appointment of commissioners was decreed, and not to the process by which they were actually appointed. By **τοὺς διαλέξοντας** is meant the special commissioners, or *νομοθέται*, with whom the decision rested, not the *θεσμοθέται* whose duties were mainly formal and preliminary.

ἐπὶ πάμπολυν ἤδη χρόνον] 'for what has now become a very long time indeed', equivalent in sense to 'for a long time back'. Dobree compares *Mid.* 41 ἐκ πολλοῦ συνεχῶς ἐπὶ πολλὰς ἡμέρας.

§ 92. **ψηφισμάτων—νόμοι**] 'Laws' of universal application are by the frequency of their enactment reduced to the level of 'decrees' passed with reference to some single individual or to meet some special case. The shortness of time during which the law remains in force before it is repealed, puts an end to the distinction between a 'law', which is permanent and general, and a 'decree', which is special and temporary.

Between *νόμοι* and *ψηφίσματα*, according to Aristotle, there was an essential logical distinction, as between the universal and the particular, the abstract and the concrete: *Eth.* v 14 ὁ νόμος καθόλου πᾶς, and *Pol.* iv 4 οὐδὲν ἐνδέχεται ψήφισμα εἶναι καθόλου. In the second passage he is thinking of the sovereign state and not of its subordinate bodies. To the latter his definition does not apply, the *ψηφίσματα* of Attic tribes, phratries, demes and non-political corporations being often general and permanent regulations (Tarbell in *American Journal of Philology*, x 79).

νεώτεροι] As a general rule, it is the *laws* that have been long established, and the *decrees* that are of recent date. The decrees relating to any special point have to be consistent with the general law. But in the present state of things, owing to the large number of new laws, the laws are themselves of more recent date than the decrees which have ordinarily to be drawn up in accordance with them. The text is confirmed by *Timocr.* 152 ἡ πόλις ...*νόμοις καὶ ψηφίσμασι διοικεῖται. εἰ δή τις τὰ ψήφῳ κεκριμένα νόμῳ καινῷ* (cf. *νεώτεροι οἱ νόμοι*) λύσει, τί πέρας ἔσται; (cf. *οὐδὲν μᾶλλον δύναται πέρας ἔχειν*). The French translator of Dem., M. Dareste, gives the following explanation: 'le décret pourvoit, en général, à l'application d'une loi: il faut donc, en bonne règle, que la loi précède le décret; mais, par abus, on fait souvent le décret avant que la loi ait pu être votée, par anticipation' (note 28). But the statement in the text is of a more general character and describes the removal of the broad distinction between 'laws' and 'decrees'. Special 'decrees' presuppose general 'laws'; but at a time of restless legislation, the general 'laws' change so rapidly that the decrees remain unrepealed, while

τὰ ψηφίσματα δεῖ γράφεσθαι, τῶν ψηφισμάτων αὐτῶν ἡμῖν εἰσίν. ὥσ' οὐκ μὴ λόγον λέγε μόνον, ἀλλὰ καὶ τὸν νόμον αὐτὸν ὃν φημι δεῖξαι, λαβὲ μοι τὸν νόμον καθ' ὃν ἦσαν οἱ πρότερον νομοθέται. λέγε.

ΝΟΜΟΣ.

Συνίεθ' ὃν τρόπον, ὦ ἄνδρες Ἀθηναῖοι, ὁ Σόλων τοὺς νόμους ὡς 93
καλῶς[w] κελεύει τιθέναι, πρῶτον μὲν παρ' ἡμῖν, ἐν[x] τοῖς ὁμωμοκόσιν, παρ' οἷσπερ καὶ τἆλλα κυροῦται. ἔπειτα λέγοντα τοὺς ἐναντίους, ἵν' εἰς ἣ περὶ τῶν ὄντων ἑκάστου νόμος, καὶ μὴ τοὺς ἰδιώτας αὐτὸ τοῦτο ταράττῃ καὶ ποιῇ τῶν ἁπάντας εἰδότων τοὺς νόμους ἧττον ἔχειν, ἀλλὰ πᾶσιν ἣ ταὐτ'[y] ἀναγνῶναι[z] καὶ μαθεῖν ἁπλᾶ καὶ σαφῆ

[w] [ὡς καλῶς] Cobet. [x] ἐν om. Markland (B D). [y] ταὐτὰ Reiske: ταῦτα O A (F. A. Wolf), ταυτα S, ταὐτ' F etc. [z] ἀναγνῶναι codd.: γνῶναι Bl, coll. Hermog. progymn. i 54 Walz. et Priscian., Rh. Lat. p. 560, *facile est id omnibus discere et* cognoscere, *simplicia et manifesta esse iura legum*. Idem coniecerant Dobree et Bake (*Hypomnemata* iii 127) 'quia nondum de recitatione publica agatur... At agitur h. l. de *privata* lectione quocunque tempore facienda. Certe dicendum foret *μαθεῖν καὶ γνῶναι*' Voemel.

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the laws, in accordance with which they have been passed, have been in the meanwhile superseded, and are already out of date. Benseler explains *νεώτεροι* as 'less mature', 'less deliberately considered'.

καθ' οὓς κ.τ.λ.] 23 § 86 *τὰ ψηφίσματα δεῖν κατὰ τοὺς νόμους ὁμολογεῖται γράφειν.*

λόγον] mere assertion, as opposed to proof. **νόμον**, the *παλαιὸς νόμος* of § 89.

καθ' ὃν—νομοθέται] the law, in accordance with which the legislative committees of former times were constituted, i.e. the law governing the appointment of *νομοθέται* which, according to the prevailing view, dates back as far as the legislation of Solon (see note on § 90).

§ 93. **ὃν τρόπον...ὡς καλῶς**] The former phrase is explained by the latter. Aesch. 1 § 20 *ἵν' εἰδῆθ' οἵων νόμων ἡμῖν κειμένων, ὡς καλῶν καὶ σωφρόνων* (Wolf).

παρ' ὑμῖν, ἐν τοῖς ὁμωμοκόσιν] The *νομοθέται* were appointed by lot from among the number of those who, having taken the Heliastic oath at the beginning of the year, were qualified to serve on juries for that year (24 § 21 *τοὺς δὲ νομοθέτας εἶναι ἐκ τῶν ὁμωμοκότων τὸν ἡλιαστικὸν ὅρκον*, ib. 78, Hermann, *Staatsalt.* § 131, 1 and 8). They were thus taken from the same kind of body as that out of which the jury in the present case was appointed.

τἆλλα] e.g. the ratification of public treaties (7 § 9), the appointment of magistrates (*supra* § 90), the audit of official accounts (*de Cor.* 117, 250). West.

λέγοντα] 89 fin.

ἵνα ... μὴ τοὺς ἰδιώτας ... ταράττῃ] Similarly, in Or. 24 § 34, after quoting the statute which guided the legislation of Athens, the speaker continues: *σκέψασθε γὰρ ὡς δικαίως καὶ σφόδρα ὑπὲρ τοῦ δήμου κεῖται. οὐκ ἐᾷ τοῖς ὑπάρχουσι νόμοις ἐναντίον εἰσφέρειν, ἐὰν μὴ λύσῃ τὸν πρότερον κείμενον.* In Mr Wayte's note on that passage, it is well observed: 'a legal system in which difficulties of interpretation are likely to occur implies the existence of a body of skilled lawyers: the Athenian laws were intended to be administered by plain men',- the *ἰδιῶται* of the text, as contrasted with experts 'who are familiar with all the laws'. **αὐτὸ τοῦτο**, the 'conflict of laws', the existence of laws contradictory to one another.

πᾶσιν ἣ—δίκαια] 'that the provisions of the laws may be the same for all to read, and simple and clear to understand'. This trans. is virtually the same as the suggestion made in Kennedy's note; the rendering which he gives in the text is different: 'that all may be able to read the same enactments and learn their duties simply and clearly'. The latter interpretation resembles that of Voemel: 'ut eadem legere et discere simplicia et perspicua iura liceat omnibus'; and of Whiston: 'that all may have an oppor

94 τὰ δίκαια. καὶ πρὸ τούτων γ' ἐπέταξεν ἐκθεῖναι πρόσθε τῶν ἐπωνύμων καὶ τῷ γραμματεῖ παραδοῦναι, τοῦτον δ' ἐν ταῖς[a] ἐκκλησίαις ἀναγιγνώσκειν, ἵν' ἕκαστος ὑμῶν ἀκούσας πολλάκις καὶ κατὰ σχολὴν σκεψάμενος, ἂν ᾖ καὶ δίκαια καὶ συμφέροντα, ταῦτα νομοθετῇ. τούτων τοίνυν τοσούτων ὄντων δικαίων[b] τὸ πλῆθος, οὑτοσὶ μὲν οὐδ' ὁτιοῦν ἐποίησε Λεπτίνης[c]· οὐ[d] γὰρ ἂν ὑμεῖς ποτ' ἐπείσθητ', ὡς ἐγὼ νομίζω, θέσθαι τὸν νόμον· ἡμεῖς δ', ὦ ἄνδρες Ἀθηναῖοι, πάντα, καὶ παρεισφέρομεν πολλῷ καὶ κρείττω καὶ
95 δικαιότερον τούτου[e] νόμον. γνώσεσθε δ' ἀκούοντες. λαβὲ καὶ 486

[a] ταῖς om. S. 'Vide an ἐν τρισὶν ἐκκλησίαις legerit Ulpianus' Dobree, quod Cobeto 'vehementer arridet: sic enim sq. ἀκούσας πολλάκις intelligitur et postulat aliquid huiuscemodi ipsa rei natura. Fuerat ΕΝΓΕΚΚΛΗCΙΑΙC et facile numeri nota negligi potuit et perire'. [b] τοσ. ὄντων <τῶν> δικαίων τὸ πλῆθος Dobree, coll. p. 496, 19; i Steph. 1122, 22; 1125, 26. [δικαίων] Cobet (w). [c] [Λεπτίνης] Cobet (w). [d] οὐ A F (Bl): οὐδὲ ⏑⏑⏑. [e] τούτου F (Bl coll. schol. 500, 16): τοῦ τούτου Reiske et L O Y (z B D v w Wr); τούτου του syllaba ultima punctis notata S.

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tunity of reading the same laws, and discovering their rights simply and clearly'. This involves taking ᾖ impersonally as equivalent to ἐξῇ, *liceat*. It seems better, however, to take τὰ δίκαια as the subject of ᾖ. Cf. Isaeus 11 § 32 ἁπλᾶ γὰρ τὰ δίκαια παντάπασίν ἐστι καὶ γνώριμα μαθεῖν, and Dem. 24 § 68 οἶμαι ἅπαντας ἂν ὑμᾶς ὁμολογῆσαι δεῖν τὸν ὀρθῶς ἔχοντα νόμον καὶ συνοίσειν μέλλοντα τῷ πλήθει πρῶτον μὲν ἁπλῶς καὶ πᾶσι γνωρίμως γεγράφθαι, καὶ μὴ τῷ μὲν εἶναι ταυτὶ περὶ αὐτοῦ νομίζειν, τῷ δὲ ταυτί. **ἀναγνῶναι**, 24 § 26 οὔτε γὰρ ἐξέθηκε τὸν νόμον, οὔτ' ἔδωκεν, εἴ τις ἐβούλετο ἀναγνοὺς ἀντειπεῖν, and § 36.

§ 94. **τῶν ἐπωνύμων**] The statues of the Attic heroes after whom the ten tribes were named. They stood in the market-place, near the council-chamber of the 500 and the Θόλος (Pausanias, i 5 § 1). 24 § 18 προστάττει πρῶτον μὲν ἐκθεῖναι πρόσθεν τῶν ἐπωνύμων γράψαντα σκοπεῖν τῷ βουλομένῳ, and 23 (*lex*) ὁ δὲ τιθεὶς τὸν καινὸν νόμον, ἀναγράψας εἰς λεύκωμα, ἐκτιθέτω πρόσθεν τῶν ἐπωνύμων ὀσημέραι, ἕως ἂν ἡ ἐκκλησία γένηται, ib. 25. Similarly the θεσμοθέται are required to give notice of any inconsistent laws that they have discovered, ἀναγεγραφότας ἐν σανίσιν ἐκτιθέναι κελεύει πρόσθεν τῶν ἐπωνύμων (Aesch. 3 § 38 quoted on § 91). In *Mid.* 103 we find mention of a λιποταξίου γραφὴ being announced in the same place.

τῷ γραμματεῖ] sc. τῆς πόλεως (Thuc. vii 10) or τοῦ δήμου (Hermann's *Staatsalt.* § 127, 27).

ἐν ταῖς ἐκκλησίαις] It was at the first meeting of the assembly, held on the eleventh day of the first prytany in the year, that the people decided whether there should be any revision of the laws. At the next two meetings the proposed law had to be publicly recited, and at a third meeting a vote was taken on the question of referring it to a legislative committee. 24 § 25 οὐκ εὐθὺς τιθέναι προσέταξαν, ἀλλὰ τὴν τρίτην ἀπέδειξαν ἐκκλησίαν. (Cf. Schöll, *über attische Gesetzgebung*, p. 101.) The date fixed for the first meeting was the eleventh day of the first Attic month, Hecatombaeon, corresponding to July 26 (*ib.* p. 85).—*Introd.* p. xix.

πολλάκις] not merely while he heard it publicly recited at several meetings, but on other occasions when it was read out by private persons in his hearing.

κατὰ σχολὴν σκεψάμενος] 24 § 25 ἵν' ὁ βουλόμενος σκέψηται, κἂν ἀσύμφορον ὑμῖν κατίδῃ τι, φράσῃ καὶ κατὰ σχολὴν ἀντείπῃ.

νομοθετῇ] 'legislate', not directly, but by referring the law to a legislative committee.

τούτων κ.τ.λ. So, in a similar context, 24 § 26 τούτων μέντοι τοσούτων ὄντων οὐδὲν πεποίηκε Τιμοκράτης οὑτοσί.

πάντα] τὰ δίκαια ἐποιήσαμεν, as prosecutors of the law of Leptines.

λέγε πρῶτον μὲν ἃ τοῦ τούτου[f] νόμου γεγράμμεθα, εἶθ' ἃ φαμεν δεῖν ἀντὶ τούτων τεθῆναι. λέγε.

ΓΡΑΦΗ.

Ταῦτα μέν ἐσθ' ἃ τοῦ τούτου[ff] νόμου διώκομεν ὡς οὐκ ἐπιτήδεια. τὰ δ' ἑξῆς λέγε, ἃ τούτων εἶναι βελτίω φαμέν. προσέχετ', ἄνδρες[h] δικασταί, τούτοις ἀναγιγνωσκομένοις τὸν νοῦν. λέγε.

ΝΟΜΟΣ.

Ἐπίσχες. τοῦτο μὲν[i] ἐν τοῖς οὖσιν νόμοις κυρίοις ὑπάρχον 96
καλόν, ὦ ἄνδρες Ἀθηναῖοι, καὶ σαφές, "τὰς δωρειὰς ὅσας ὁ δῆμος "ἔδωκε κυρίας εἶναι." δίκαιον[j], ὦ γῆ καὶ θεοί. χρῆν τοίνυν Λεπτίνην μὴ πρότερον τιθέναι τὸν ἑαυτοῦ νόμον, πρὶν τοῦτον ἔλυσε γραψάμενος. νῦν δὲ μαρτυρίαν καθ' ἑαυτοῦ καταλείπων ὅτι παρανομεῖ[k]

[f] τοῦ τούτου (Z B D W Wr Bl): τούτου τοῦ S L (v coll. §§ 30, 99). [ff] Westermannum secutus Bl: ΝΟΜΟΣ. [ff] τοῦ τούτου A et Reiske (Z B D W Wr Bl): τούτου τοῦ S L (v). [h] ἄνδρες S A O (B v W Wr Bl): ὦ ἄ. (Z B D). [i] 'post τοῦτο μὲν om. ἐστι cum Aristid. p. 368 W, qui bis sententiam affert' Bl. [j] εἶναι· δίκαιον, Z: εἶναι, δίκαιον (B D v Bl); εἶναι <καὶ> δίκαιον Weil (Wr) collato *Rhod.* § 21. [k] ὅτι παρανομεῖ fortasse delenda non tantum ob breves quinque continuatas sed potius propter collocationem duram, non enim cum sequentibus coniunguntur sed ad μαρτυρίαν referuntur.

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§ 95. **γεγράμμεθα**] 'have indicted'= διώκομεν below. Cf. 89.

l. 3. The document designated ΝΟΜΟΣ in the MSS had a double preamble, (1) setting forth the objections to the law of Leptines, and (2) stating the reasons in favour of the law proposed in its place. The first preamble is read at this point; the second, at the end of the paragraph. At the end of § 96 another law is recited incidentally; and it is not until the end of § 97 that we reach the recitation of the law proposed in place of that of Leptines (F. A. Wolf, G. H. Schaefer, West.).

οὐκ ἐπιτήδεια] 24 §§ 61, 68, 108, 138; Aesch. 1 § 34 (Schöll, *u. s.*, p. 136–7).

προσέχετε, placed emphatically at the beginning of the sentence, and thus artificially separated from τὸν νοῦν which is reserved for an equally emphatic position at the end.

§ 96. **ἐν τοῖς οὖσιν νόμοις κυρίοις**—For the order of words, cf. *Timocr.* 17. 'In the existing laws which are now in force there is this provision which is excellent and clear...A just provision too, in the name of heaven and earth'. **δίκαιον** may thus be taken in apposition to the preceding phrase: '*δ. betrachte ich als Apposition, καὶ σαφὲς als zu καλὸν gehörig*' (Blass in *Bursian's Jahresb.* 1879 i 279). Voemel takes **δίκαιον** as a substantive with **καλὸν καὶ σαφὲς** as its predicates, 'hoc est igitur in receptis legibus pulcrum et perspicuum...ius'; and Westermann understood it similarly. But this does not suit the exclamation, **ὦ γῆ καὶ θεοί**. Weil inserts **καὶ** between **εἶναι** and **δίκαιον**, but the three epithets **καλὸν καὶ σαφὲς καὶ δίκαιον** do not agree well with one another: instead of **σαφές** in such a context we should expect **συμφέρον**.

τὰς δωρειὰς—κυρίας εἶναι] The primary object of this law was to ratify the bounties granted by the people before the time of anarchy, and probably at the same time to abolish all privileges conferred by the thirty tyrants. The principle of the law is here appealed to, as one of general application.

μὴ πρότερον—γραψάμενος] § 89.

ὅτι παρανομεῖ, constr. after **μαρτυρίαν**, although placed between **καταλείπων** and its object **τουτονὶ τὸν νόμον**. If **ὅτι παρανομεῖ** had been placed either after **ἑαυτοῦ** or before **ὄμωμι**, a *hiatus* would have ensued; but the clause is unnecessary and indeed is open to suspicion on the ground of its containing as many as five consecutive short syllables; however, in 22 § 24 we have **βεβιωκότα παρανόμως**. I'er-

τουτονὶ τὸν νόμον, ὅμως ἐνομοθέτει, καὶ ταῦθ' ἑτέρου κελεύοντος νόμου, καὶ κατ' αὐτὸ τοῦτ' ἔνοχον εἶναι τῇ γραφῇ, ἐὰν ἐναντίος ᾖ τοῖς πρότερον κειμένοις νόμοις. λαβὲ δ' αὐτὸν τὸν νόμον.

ΝΟΜΟΣ.

97 *Οὔκουν ἐναντίον, ὦ ἄνδρες Ἀθηναῖοι, τῷ "κυρίας εἶναι τὰς "δωρειάς, ὅσας ὁ δῆμος ἔδωκε[1]," τὸ "μηδὲν' εἶναι ἀτελῆ" τούτων οἷς ὁ δῆμος ἔδωκεν; σαφῶς γ' οὑτωσί. ἀλλ' οὐκ ἐν ᾧ νῦν ὅδ' ἀντεισφέρει νόμῳ, ἀλλ' ἃ τ' ἐδώκατε, κύρια, καὶ πρόφασις δικαία κατὰ τῶν ἢ παρακρουσαμένων ἢ μετὰ ταῦτ' ἀδικούντων ἢ ὅλως ἀναξίων, δι' ἣν ὃν ἂν ὑμῖν δοκῇ κωλύσετ' ἔχειν τὴν δωρειάν. λέγε τὸν νόμον.*

ΝΟΜΟΣ. 487

98 *Ἀκούετ', ὦ ἄνδρες Ἀθηναῖοι, καὶ καταμανθάνετε, ὅτι ἐνταῦθ' ἔνι καὶ τοὺς ἀξίους ἔχειν τὰ δοθέντα, καὶ τοὺς μὴ τοιούτους κριθέντας, ἐὰν[m] ἀδίκως τι λάβωσιν, ἀφαιρεθῆναι, καὶ τὸ λοιπὸν ἐφ' ὑμῖν εἶναι πάνθ', ὥσπερ ἐστὶ δίκαιον, καὶ δοῦναι καὶ μή. ὡς μὲν τοίνυν οὐχὶ καλῶς οὗτος ἔχει καὶ δικαίως ὁ νόμος, οὔτ' ἐρεῖν οἶομαι[n] Λεπτίνην, οὔτ', ἐὰν λέγῃ, δεῖξαι δυνήσεσθαι· ἃ δὲ πρὸς τοῖς θεσμοθέταις ἔλεγεν[o], ταῦτ' ἴσως λέγων παράγειν ὑμᾶς ζητήσει. ἔφη γὰρ ἐξαπάτης εἵνεκα[p] παραγεγράφθαι [τοῦτον][q] τὸν νόμον, ἐὰν δ' ὂν αὐτὸς*

[1] ἔδωκεν 'cum ν linea deleto S' (v Wr). [m] ἐὰν MSS: ἂν (w). ἐὰν ἀδίκως τι λάβωσιν delet Herwerden. [n] οἶομαι S L A (z B v w Wr Bl) : οἶμαι O P (D). [o] ἔλεγε (z B D). [p] εἵνεκα S L : ἕνεκα A (D). [q] τοῦτον delet Bl, 'statim enim idem pronomen sequitur'.

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haps we should alter it into *ὧν παρανομεῖ* as in 24 § 35 *μαρτυρίαν ὧν ἀδικεῖ γράφων*.

ἔνοχον, sc. 'the law', which is also the subject of *ἐναντίος ᾖ*. 24 § 39 *ἔνοχος τῇ γραφῇ καθέστηκεν, ἐναντίον εἰσενηνοχὼς τοῖς οὖσι νόμοις*, and 61.

κειμένοις used instead of the perf. pass. of *τίθημι*; *τέθειμαι* being *middle* in sense.

αὐτὸν τὸν νόμον, the law just mentioned.

§ 97. **τούτων**, masc. **ἔδωκεν**, sc. *ἀτελεῖς εἶναι*. **σαφῶς γ' οὑτωσί**, *Ol.* 3 § 11; 23 §§ 48, 53; 36 § 26. *οὑτωσὶ φανερῶς*, 23 § 85, is found as well as *φανερῶς οὑτωσί*, 27 § 29; but *οὑτωσὶ σαφῶς* is avoided, apparently on grounds of euphony.

οὐκ (*ἔνεστι τοῦτο τὸ ἐναντίον*) *ἐν τῷ νόμῳ ὃν ὅδε* (Apsephion) *ἀντεισφέρει*, 144.

πρόφασις δικαία, 'a fair plea'.

παρακρουσαμένων] 'who have fraudulently obtained the immunity', 131.

§ 98. **ἐνταῦθ' ἔνι** = *ἔνεστιν ἐν τούτῳ τῷ νόμῳ*. For *ἔνι*, cf. 160; 2 §§ 4, 10, 23; 4 §§ 8, 23; 8 § 47; 18 §§ 7, 12, 198, 225 (Rehdantz, *index*[3], s. v. *ἐν*).

κριθέντας—ἀφαιρεθῆναι] 'should, if they have received any privilege unfairly, be deprived of it after they have been put on their trial'. *κριθέντας* does not go with *τοὺς μὴ τοιούτους* but with *ἀφαιρεθῆναι*. This is Westermann's view, but the balance of the sentence is in favour of a pause not after *τοιούτους* but after *κριθέντας*:—*qui tales iudicati non fuerint*.

πρὸς τοῖς θεσμοθέταις, at the *ἀνάκρισις* or preliminary investigation, before the thesmothetae. Every cause went through a preliminary hearing before the officers who were to preside at the trial itself; in the present case these officers were the thesmothetae.

παράγειν] 22 § 34 *φενακίζειν καὶ παράγειν*.

ἐξαπάτης εἵνεκα] Leptines is repre-

ἔθηκεν λυθῇ, τοῦτον οὐ τεθήσεσθαι. ἐγὼ δ', ὅτι μὲν τῇ ὑμετέρᾳ 99
ψήφῳ τοῦ τούτου[r] νόμου λυθέντος, τὸν παρεισενεχθέντα κύριον
εἶναι σαφῶς ὁ παλαιὸς κελεύει νόμος, καθ' ὃν οἱ θεσμοθέται τοῦτον
ὑμῖν[s] παρέγραψαν, ἐάσω, ἵνα μὴ περὶ τούτου τις ἀντιλέγῃ μοι, ἀλλ'
ἐπ' ἐκεῖνο εἶμι. ὅταν ταῦτα λέγῃ δήπου, ὁμολογεῖ μὲν εἶναι βελτίω
καὶ δικαιότερον τόνδε τὸν νόμον οὗ τέθεικεν αὐτός, ὑπὲρ δὲ τοῦ πῶς
τεθήσεται ποιεῖται τὸν λόγον. πρῶτον μὲν τοίνυν εἰσὶν αὐτῷ 100
κατὰ τοῦ παρεισφέροντος πολλοὶ τρόποι, δι' ὧν, ἂν βούληται[t],
θεῖναι τὸν νόμον αὐτὸν ἀναγκάσει. ἔπειτ' ἐγγυώμεθ' ἡμεῖς, ἐγώ,
Φορμίων, ἄλλον εἴ τινα βούλεται, θήσειν τὸν νόμον. ἔστι δὲ
δήπου νόμος ὑμῖν[u], ἐάν τις ὑποσχόμενός τι τὸν δῆμον ἢ βου-

[r] τούτου τοῦ codd. (Z B D V) : τοῦ τούτου (post Westermannum W et Bl).
[s] ὑμῖν L : ἡμῖν S (Wr). [t] ἂν βούληται θεῖναι τὸν νόμον (D). ἂν μὴ β. olim vulg. (B 1824). [u] ὑμῖν : ἡμῖν k (Wr).

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sented as asserting that the amendment was a mere ruse and would be withdrawn as soon as it had served its purpose to defeat his own law. **παραγεγράφθαι** = *παρεισενηνέχθαι*, 88, 94, 99. The two laws were set forth in parallel columns for purposes of comparison, 18 § 111; 22 § 34; 23 §§ 51, 63, 215. **οὐ τεθήσεσθαι** represents *οὐ τεθήσεται* in *oratio recta*.

§ 99. **ὁ παλαιὸς νόμος**, that of Solon, 89. The law in question appears to have enacted that on the repeal of the law proposed for amendment, the amendment should *ipso facto* become law. But it does not follow that any given amendment is the best conceivable substitute for an existing law, although it may be preferable to it. Hence, the provision for the amendment *ipso facto* becoming law fell into abeyance; and the speaker therefore declines to insist on this technical point. Besides, the *παλαιὸς νόμος* was not applicable to a case in which a *γραφὴ παρανόμων* was being tried before an ordinary jury. Strictly speaking, it only applied to a trial before a legislative commission (before *νομοθέται*). The speaker only means to suggest that he and his friends are morally bound by the spirit of that law; and for so doing he has the additional justification that, if the law of Leptines were to be rejected by the court, the amendment would have at a later stage to be submitted to a legislative commission (Schoemann, *Opusc.* i 241, and Westermann).

παρέγραψαν] 'in pursuance of which the Judges placarded both for your perusal' Kennedy, translating *ὑμῖν*. The other reading *ἡμῖν* is deemed by Weil inconsistent with the preceding phrase *ὁ παλαιὸς κελεύει νόμος*:—The thesmothetae have not set the two rival laws side by side as a favour to ourselves, (by the provisions of Solon's law, they could not help it); but as a convenience for the court. But *ἡμῖν* is perhaps less inconsistent with the context than appears at first sight. The thesmothetae might surely cause the two laws to be placarded 'at the request of the prosecution', and the law might require them to accede to that request.

ὁμολογεῖ] As Leptines is represented as arguing, not against the purport of the amendment, but on the question of the way in which it was to become law, the speaker pretends to infer that Leptines admits the excellence of the amendment.

ὑπὲρ τοῦ πῶς τεθήσεται] The article gives a substantival force to the interrogative clause, as in 3 § 2 *περὶ τοῦ τίνα τρόπον τιμωρήσεταί τις ἐκεῖνον*, 9 § 7 *περὶ τοῦ πότερον εἰρήνην ἄγειν ἢ πολεμεῖν δεῖ*, 18 § 1 *περὶ τοῦ πῶς ἀκούειν ὑμᾶς ἐμοῦ δεῖ*, 37 § 46 *περὶ τοῦ τί χρὴ παθεῖν ἢ ἀποτῖσαι*.

§ 100. **Φορμίων**] *Introd.* § 4.

ἄλλον] ἄλλος is attracted into the same case as the object of the subordinate clause.

νόμος..., ἐάν τις ὑποσχόμενος κ.τ.λ.] § 135, and 49 § 67 *νόμων ὄντων, ἐάν τις τὸν δῆμον ὑποσχόμενος ἐξαπατήσῃ, εἰσαγγελίαν εἶναι περὶ αὐτοῦ*. As a historic instance of *ἀπάτη τοῦ δήμου*, we have the case of Miltiades, Hdt. vi 136 (Hermann, *Staatsalt.* § 133, 11).

λὴν[v] ἢ δικαστήριον ἐξαπατήσῃ, τὰ ἔσχατα πάσχειν. ἐγγυώμεθ', ὑπισχνούμεθα. οἱ θεσμοθέται ταῦτα γραφόντων, ἐπὶ τούτοις τὸ
101 πρᾶγμα γιγνέσθω. μήθ' ὑμεῖς ποιήσητε μηδὲν ἀνάξιον ὑμῶν αὐτῶν, μήτ', εἴ τις φαῦλός ἐστι τῶν εὑρημένων τὴν δωρειάν, ἐχέτω, 488
ἀλλ' ἰδίᾳ κατὰ τόνδε κριθήτω τὸν νόμον. εἰ δὲ ταῦτα λόγους καὶ φλυαρίας εἶναι φήσει, ἐκεῖνό γ' οὐ λόγος· αὐτὸς θέτω, καὶ μὴ λεγέτω τοῦθ', ὡς οὐ θήσομεν ἡμεῖς. κάλλιον δὲ δήπου τὸν ὑφ' ὑμῶν κριθέντα καλῶς ἔχειν νόμον εἰσφέρειν, ἢ ὃν νῦν ἀφ'[w] αὑτοῦ[x] τίθησιν.

102 Ἐμοὶ δ', ὦ ἄνδρες Ἀθηναῖοι, δοκεῖ Λεπτίνης (καί μοι[y] μηδὲν ὀργισθῇς· οὐδὲν γὰρ φλαῦρον ἐρῶ σε[z]) ἢ οὐκ ἀνεγνωκέναι τοὺς Σόλωνος νόμους ἢ οὐ συνιέναι. εἰ γὰρ ὁ μὲν Σόλων ἔθηκεν νόμον

[v] βουλὴν: τὴν β. A (Bl coll. 24 § 50). [w] ἀφ' S L vulg.: ἐφ' olim vulgo legebatur (F. A. Wolf). [x] ἑαυτοῦ (z). [y] μοι S Y etc.: μοι πρὸς Διὸς L (B 1824). [z] σε codd.: om. Bl coll. Anonymo Rh. viii 656 Walz ἐρῶ φλαῦρον et Isidor. Ep. ii 216 οὐδὲν γὰρ φλύαρον (corr. φλαῦρον) ἐρῶ. ἐρῶ σε φλ. Hermogenes iii 252, 332.

βουλὴν] without the article, any council, i.e. either the 500, or the Areopagus.

γραφόντων] 'let the thesmothetae (presiding at the present trial) take note of our promise'.

ἐπὶ τούτοις, masc. 28 *ἐφ' ὑμῖν*; 'let the matter be left in their hands', *penes hos* (Voemel; West. and Weil). Benseler understands it as neuter, thus connecting it with the following sentence.

§ 101. **μήθ' ὑμεῖς—νόμον**] 88 fin. *καὶ ὅπως ὑμεῖς μηδὲν αἰσχρὸν ποιῆσαι δόξετε κ.τ.λ.*

ἰδίᾳ, let each case be taken specially and separately; do not let them all come under a sweeping general enactment which would press hard on deserving persons.

λόγους καὶ φλυαρίας] 8 § 13, and 22 § 19 *λόγοι καὶ προφάσεις*, *id.* 73 *ἔστι δ' οὐδὲν ἄλλ' ἢ λόγοι τὰ παρ' ἐμοῦ*, 18 § 308 *ῥήματα καὶ λόγους*.

αὐτὸς θέτω] 'As you pretend to be afraid we will not bring forward an amendment, and as you are so anxious about it, propose it yourself, Leptines'. This suggestion, though introduced with all apparent gravity, is merely *λόγος καὶ φλυαρία*.

τὸν ὑφ' ὑμῶν κριθέντα καλῶς ἔχειν] Dem. has the assurance to claim for his amendment the actual approval of the court. The only ground for his so doing is the fact that it has received a kind of formal approval at the preliminary investigation before the *θεσμοθέται*. He also assumes its being acceptable because (unlike the law of L.) it recognises (at least in the case of all deserving recipients § 98) the principle that nothing should invalidate the gifts of the people (§ 96). He finds it convenient to represent the law of Leptines which had received the votes of the people as one merely of his opponent's own devising, and his own amendment as one that the court had approved.

ἀφ' αὑτοῦ, *de suo* (Voemel); *de sua ipsius fabrica*, i.e. a se ipso excogitatam, commentam' (G. H. Schaefer).

§ 102. **οὐκ ἀνεγνωκέναι τοὺς Σόλωνος νόμους**] Here, as elsewhere (§ 14), Leptines is addressed in terms of studied courtesy, which, however, are quite consistent with resolute and determined opposition to his policy. As a modern parallel we have the Attorney-General's courteous but severe criticism of Mr Gladstone as reported in the *Times* for Aug. 27, 1887: "*If I am not impertinent*, I should wish to say to one in a less high position than the right hon. gentleman, 'Did you *read* the clauses of the Crimes Act before you made that objection?'" But the criticism in the text is still severer owing to the addition of the cruel alternative: *ἢ οὐ συνιέναι*.

Σόλων] 'Formerly the individual with all his possessions was so thoroughly held down by the bonds of family, that even as to the property acquired by himself he

ἐξεῖναι δοῦναι τὰ ἑαυτοῦ ᾧ ἄν τις βούληται, ἐὰν μὴ παῖδες ὦσι γνήσιοι, οὐχ ἵν' ἀποστερήσῃ τοὺς ἐγγυτάτω γένει τῆς ἀγχιστείας, ἀλλ' ἵν' εἰς τὸ μέσον καταθεὶς τὴν ὠφελίαν[a] ἐφάμιλλον ποιήσῃ τὸ ποιεῖν ἀλλήλους εὖ, σὺ δὲ τοὐναντίον εἰσενήνοχας μὴ ἐξεῖναι τῷ 103
δήμῳ τῶν αὑτοῦ δοῦναι μηδενὶ μηδέν, πῶς σέ τις φήσει[b] τοὺς Σόλωνος ἀνεγνωκέναι νόμους ἢ συνιέναι; ὃς ἔρημον ποιεῖς τὸν δῆμον τῶν φιλοτιμησομένων, προλέγων καὶ δεικνὺς ὅτι τοῖς ἀγαθόν τι ποιοῦσιν οὐδ' ὁτιοῦν ἔσται πλέον. καὶ μὴν κἀκεῖνος τῶν 104
καλῶς δοκούντων ἔχειν νόμων Σόλωνός ἐστι, μὴ λέγειν κακῶς τὸν τεθνεῶτα, μηδ' ἂν ὑπὸ τῶν ἐκείνου τις ἀκούῃ παίδων αὐτός. σὺ δὲ ποιεῖς, οὐ λέγεις κακῶς τοὺς[c] τετελευτηκότας, τῶν εὐεργετῶν τῷ

[a] ὠφέλειαν codd.: ὠφελίαν Bl, coll. § 28, Voemel proleg. § 103, Hyperid. Eux. c. 24, 1. [b] φήσῃ sine causa (ut videtur) scripsit Bl. [c] + εὖ S solus (v commatis signo post τετελευτηκότας posito et τῶν εὐεργετῶν cum τῷ δεῖνι coniuncto). τοὺς εὖ τετ. fortasse e scholio quodam, velut τοὺς εὐεργέτας τετ. ortum esse indicavit Weil.

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could take no final decision. Money and lands had to remain in the family, even in the absence of any children. It was Solon who first made a free disposition by will legal in the latter case, so that every citizen, unfettered by any consideration whatsoever, could choose his heir, and adopt him as his child' (Curtius, *H. G.* i 337 Ward). Plutarch, *Solon*, 21 *πρότερον γὰρ οὐκ ἐξῆν, ἀλλ' ἐν τῷ γένει τοῦ τεθνηκότος ἔδει τὰ χρήματα καὶ τὸν οἶκον καταμένειν.* Isaeus 3 § 68 *ὁ γὰρ νόμος διαρρήδην λέγει ἐξεῖναι διαθέσθαι ὅπως ἂν ἐθέλῃ τις τὰ αὑτοῦ, ἐὰν μὴ παῖδας γνησίους καταλίπῃ ἄρρενας· ἂν δὲ θηλείας καταλίπῃ, σὺν ταύταις.* [Dem.] 46 § 15. It will be observed that, if a father had a legitimate son, the law of Solon did not allow the father to disinherit him; it was only in the event of there being no such son, that the father had the right of making a will. 'The Athenian will was only an inchoate Testament. Permission to execute a will was first given to Athenian citizens by the laws of Solon (Grote, c. xi vol. III 186). But it was expressly restricted to those citizens who had no direct male descendants' (Jebb's *Att. Or.* ii 315).

ἀγχιστείας] right of succession, by virtue of being next of kin.

εἰς τὸ μέσον] as a kind of prize, open to all.

ἐφάμιλλον κ.τ.λ.] 'he might excite emulation to do mutual kindnesses' (Kennedy). **ποιεῖν εὖ**, 83.

§ 103. **εἰσενήνοχας**] *νόμον.*

ὃς ἔρημον—ποιοῦσιν] Beatson draws attention to 'the long succession of anapaests and their equivalents'.

οὐδ' ὁτιοῦν] It is not true that no advantage whatsoever could accrue to the benefactors of the State; for, as Leptines himself is represented as saying in § 120, it would still be open to the State to set up statues, and to grant public maintenances and anything else they please, except the *ἀτέλεια.*

§ 104. **μὴ λέγειν κακῶς** κ.τ.λ.] Plutarch, *Solon*, 21. Dem. 40 § 49 *τῶν νόμων ἀπαγορευόντων μηδὲ τοὺς τῶν ἄλλων πατέρας κακῶς λέγειν τεθνεώτας.* The technical name for the legal process in such cases was *δίκη κακηγορίας.* (Meier and Schömann, *Att. Pro.* p. 630 Lipsius.) The precept is also ascribed to Chilon in Stobaeus 124. Shakespeare, *Henry II*, iv 1, 1 'And he doth sin that doth belie the dead'.

ἀκούῃ, κακῶς.

ποιεῖς, οὐ λέγεις] 21, 183 *ἂν δὲ ποιῇ, μὴ λέγῃ.*

τῶν εὐεργετῶν τῷ δεῖνι μεμφόμενος κ.τ.λ.] -- 'By finding fault with *one* of our benefactors, and declaring that *another* is unworthy'. **ὧν οὐδέν** 'not one of which (censures) had anything to do with those benefactors'. Benseler, approved by Voemel, takes *τῶν εὐεργετῶν* with *τῷ δεῖνι*, and not with *τοὺς τετελευτηκότας.* The latter is the construction preferred by West. and Weil, and is perhaps right, as I find no instance of *ὁ δεῖνα* constructed with a partitive gen. Rosenberg (following G. H. Schae-

δεῖνι μεμφόμενος καὶ τὸν δεῖν' ἀνάξιον εἶναι φάσκων, ὧν οὐδὲν[d] ἐκείνοις προσῆκεν[e]. ἆρ' οὐ πολὺ τοῦ Σόλωνος ἀποστατεῖς τῇ γνώμῃ;

105 Πάνυ τοίνυν σπουδῇ τις ἀπήγγελλέ[f] μοι περὶ τοῦ μηδενὶ δεῖν μηδὲν διδόναι, μηδ' ἂν ὁτιοῦν πράξῃ, τοιοῦτόν τι λέγειν αὐτοὺς παρεσκευάσθαι, ὡς ἄρ' οἱ Λακεδαιμόνιοι καλῶς πολιτευόμενοι καὶ Θηβαῖοι, οὐδενὶ τῶν παρ' ἑαυτοῖς διδόασιν τοιαύτην οὐδεμίαν τιμήν· 489

[d] <οὐδεὶς> οὐδὲν Dobree (D W). [e] προσῆκεν codd.: προσήκει Dobree (W). [f] ἀπήγγελλε correctus ab eadem manu S, F Y (V W Wr, -ν Bl collatis 21 §§ 25, 36; 54 § 38): ἀπήγγειλε.

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fer) refers ὧν to τῷ δεῖνι and τὸν δεῖνα, 'with whom those benefactors have nothing in common', comparing 35 § 33 τούτοις οὐδ' ὁτιοῦν προσήκει τῆς ναυαγίας, and 43 § 20 ἡγούμενοι οὐδ' ὁτιοῦν προσήκειν ἑαυτοῖς οὐδενὸς τῶν Ἀγνίου. Similarly Donaldson, *Gk. Gr.* p. 381, 'with whose merits they had nothing to do', and also Whiston and Kennedy. As an alternative Rosenberg suggests that if, in accordance with general usage, ὧν is *neuter*, it refers to the general purport of μεμφόμενος and ἀνάξιον εἶναι φάσκων. The latter is the view of Wolf, and this I prefer. It is also approved by Shilleto (*F. L.* p. 393 § 183) who shews that οὐδὲν can be used for οὐδέτερον. Weil, following Dobree, inserts οὐδεὶς after ὧν and changes προσῆκεν into προσήκει: 'not one of whom has any relationship with those benefactors'. The argument, according to his view, is: 'Solon has forbidden speaking evil of the dead, even when one is oneself evil spoken of by his children. You do evil, not in word, but in deed, not to any chance comers but to the benefactors of Athens who are deceased, by alleging the unworthiness, not of their children, but of some people or other who have nothing to do with them'.

προσῆκεν] 44 τούτους οὓς ἥκιστα προσῆκεν ἀδικοῦντα, *Mid.* 110 αἰτίαν...ψευδῆ καὶ οὐδὲν ἐμοὶ προσήκουσαν.

§ 105. The speaker here anticipates and refutes some of the arguments which will be used on the other side. The rhetorical term for such anticipation is ὑποφορά.

πάνυ σπουδῇ, 'quite seriously'; taken by Wolf with ἀπήγγελλε, *quidam nuntiavit mihi serio* (followed by Whiston, Weil and Rosenberg). Shilleto rightly prefers joining it with παρεσκευάσθαι. 'The serious and important air of the narrator appears to me less necessary for the orator to mention than the earnest manner of Leptines and his party and the great stress they would lay on this their grand argument' (note on *F. L.* p. 373 § 117).

ἀπήγγελλε] *Mid.* 36 ἀπήγγελλε τοίνυν τις μοι, *Conon* 38 οἵας (ἀρὰς) ἀκηκοώς γέ τις θαυμάσας ἀπήγγελλεν ἡμῖν, 'imperfectum magis placet de re non absoluta' (Voemel).

μηδενὶ δεῖν μηδὲν διδόναι] an exaggerated misrepresentation of the law of Leptines which did away with the ἀτέλεια alone and did not touch other rewards like those mentioned in § 120.

τοιαύτην] such as the ἀτέλεια. The statement is not strictly true with regard to the *Lacedaemonians*. Immunity from taxes was granted by them, in special cases, Herod. ix 73 τοῖσι δὲ Δεκελεῦσι ἐν Σπάρτῃ ἀπὸ τούτου τοῦ ἔργου ἀτελείη τε καὶ προεδρίη διατελέει ἐς τόδε αἰεὶ ἔτι ἐοῦσα, Aristot. *Pol.* ii 6 § 13 ἔστι γὰρ αὐτοῖς νόμος τὸν μὲν γεννήσαντα τρεῖς υἱοὺς ἄφρουρον εἶναι, τὸν δὲ τέτταρας ἀτελῆ πάντων (cf. Aelian *V. H.* vi 6). In Plut. *Ages.* 35 ἀτέλεια is granted to the descendants of the Spartan who wounded Epaminondas at Mantinea. Vischer, *epigraph. Beiträge*, tit. 30 (in 1st or 2nd cent. B.C.) ἔδοξε τῷ δάμῳ πρόξενον εἶμεν τῆς πόλεως Δαμίωνα Θεοκρίτου Ἀμβρακιώταν καὶ αὐτὸν καὶ ἐγγόνους καὶ ὑπαρχειν ἀτέλειαν αὐτῷ τε καὶ ἐγγόνοις καὶ γᾶς καὶ οἰκίας ἔγκτησιν. CIG 1335 ἔδοξε τῷ κοινῷ τῶν Λακεδαιμονίων Φίλωνα πρόξενον εἶμεν καὶ εὐεργέταν τοῦ κοινοῦ τῶν Λακεδαιμονίων καὶ ἐγγόνους αὐτοῦ καὶ εἶμεν αὐτοῖς γᾶς καὶ οἰκίας ἔγκτασιν καὶ ἐπινομίαν καὶ ἀτέλειαν καὶ ἀσυλίαν καὶ πολέμου καὶ εἰράνας καὶ τὰ λοιπὰ τίμια ὅσα καὶ τοῖς ἄλλοις προξένοις καὶ εὐεργέταις. (Westermann, *Z. f. d. Alt.* 1844 p. 777, and Thumser, *de civium Atheniensium muneribus*, p. 111 note).

καίτοι καὶ παρ' ἐκείνοις τινές εἰσιν ἴσως ἀγαθοί. ἐμοὶ δὴ[g] δοκοῦσιν, ὦ ἄνδρες Ἀθηναῖοι, πάντες οἱ τοιοῦτοι λόγοι παροξυντικοὶ μὲν εἶναι πρὸς τὸ τὰς ἀτελείας ὑμᾶς ἀφελέσθαι πεῖσαι, οὐ μέντοι δίκαιοί γ' οὐδαμῇ. οὐ γὰρ ἀγνοῶ τοῦθ', ὅτι Θηβαῖοι καὶ Λακεδαιμόνιοι καὶ ἡμεῖς οὔτε νόμοις οὔτ' ἔθεσιν[h] χρώμεθα τοῖς αὐτοῖς οὔτε πολιτείᾳ. αὐτὸ γὰρ τοῦτο πρῶτον, ὃ νῦν οὗτοι ποιήσουσιν, 106
ἐὰν ταῦτα λέγωσιν, οὐκ ἔξεστι[i] ποιεῖν παρὰ τοῖς Λακεδαιμονίοις, τὰ τῶν Ἀθηναίων ἐπαινεῖν νόμιμα, οὐδὲ τὰ τῶν δείνων, πολλοῦ γε καὶ δεῖ, ἀλλ' ἃ τῇ παρ' ἐκείνοις πολιτείᾳ συμφέρει, ταῦτ' ἐπαινεῖν ἀνάγκη [καὶ ποιεῖν][j]. εἶτα καὶ Λακεδαιμόνιοι τῶν μὲν τοιούτων ἀφεστᾶσιν, ἄλλαι δέ τινες παρ' ἐκείνοις εἰσὶ τιμαί, ἃς ἀπεύξαιτ' ἂν ἅπας ὁ δῆμος ἐνταυθοῖ[k] γενέσθαι. τίνες οὖν εἰσιν αὗται; τὰς 107
μὲν καθ' ἕκαστον ἐάσω, μίαν δ', ἣ συλλαβοῦσα τὰς ἄλλας ἔχει, δίειμι. ἐπειδάν τις εἰς τὴν καλουμένην γερουσίαν ἐγκριθῇ παρασχὼν αὑτὸν οἷον χρή, δεσπότης ἐστὶ τῶν πολλῶν. ἐκεῖ μὲν γάρ ἐστι τῆς ἀρετῆς ἆθλον τῆς πολιτείας κυρίῳ γενέσθαι μετὰ τῶν

[g] δὴ S L O Y (v w wr): δὲ vulg. satis probabiliter sed sine codicum auctoritate. [h] ἔθεσιν S (v Bl): ἔθεσι cet. [i] -ν Bl. [j] secl. Hirschig, *Philologus* v 333 (w wr Bl). ταῦτ' ἀνάγκη καὶ ἐπαινεῖν Cobet. [k] ἐνταυθὶ (D de suo).

We have no record of any **ἀτέλεια** having been granted by the Thebans at or before the time of this speech. The only instance known is in the honours granted to a Carthaginian envoy by the Boeotians shortly before 171 B.C. (CIG 1565 = Dittenberger's *Sylloge* 222).

καλῶς πολιτευόμενοι] This compliment to the Spartan constitution, which Dem. puts in the mouth of his opponents, is due to the fact that Athens was now on friendly terms with Sparta. No such compliment is here paid to the Thebans, with whom they are now at enmity; indeed they are most bitterly inveighed against in § 109.

καίτοι—ἀγαθοί, a continuation of the argument introduced by **ὡς** in the previous sentence. The irony of **ἴσως** (which is practically equivalent to **δήπου**) is missed in Beatson's note: 'this **ἴσως** may seem strange, applied to the countrymen of Epaminondas and Agesilaus, &c.'

παροξυντικοί] 'apt to excite'; 'incentives'.

πολιτείᾳ] **τῇ αὐτῇ** implied from **τοῖς αὐτοῖς**, but not expressed, possibly *propter hiatum*.

§ 106. **πολλοῦ γε καὶ δεῖ**] 9 § 18; 14 § 38; 18 §§ 47, 52, 140, 300, 308; 19 §§ 104, 138, 158, 190, 307; 21 §§ 71, 123; 42 § 25 (Rehdantz, *index* s. v. **δέω**).

τοιούτων] neuter, explained by **ἐθῶν** in some of the MSS.

ἅπας ὁ δῆμος] Even Leptines and his friends.

ἐνταυθοῖ γενέσθαι] 'to be introduced here'; 4 § 40 **ἐκεῖσ' εἰσιν αἱ χεῖρες** (with Rehdantz, *index*, s. v. **εἶναι**).

§ 107. **τὴν καλουμένην γερουσίαν**] 'what they call the **γερουσία**', a senate of 28 **γέροντες**, over 60 years of age.

δεσπότης—τῶν πολλῶν] an invidious phrase deliberately chosen to excite an indignant feeling in a democratic audience; it is rendered still more invidious by being applied to a single Senator.

The members of the Senate were irresponsible (**ἀνεύθυνοι**) except so far as they were subordinate to the Ephors (Ar. *Pol.* ii 9). The institution of the **γερουσία** is praised by Plutarch, *Lycurg.* 6 fin. and 26, and by Isocr. *Panath.* 12 § 154 **τῶν γερόντων τῶν ἐπιστατούντων ἅπασι τοῖς πράγμασι**. It is less favourably criticised by Aristotle, *Pol.* ii 6 §§ 17, 18 **τό γε διὰ βίου κυρίους εἶναι κρίσεων μεγάλων ἀμφισβητήσιμον**. Dion. Hal. ii 14 **ἡ γερουσία πᾶν εἶχε τῶν κοινῶν τὸ κράτος** (Hermann, *Staatsalt.* § 24, 3 and 4).

τῆς ἀρετῆς ἆθλον] Ar. *Pol.* ii 9 **ἆθλον γὰρ ἡ ἀρχὴ αὕτη τῆς ἀρετῆς ἐστιν**. Xen.

ὁμοίων, παρὰ δ' ἡμῖν ταύτης μὲν ὁ δῆμος κύριος, καὶ ἀραὶ καὶ νόμοι καὶ φυλακαί, ὅπως μηδεὶς ἄλλος κύριος γενήσεται, στέφανοι δὲ καὶ ἀτέλειαι καὶ σιτήσεις καὶ τοιαῦτ' ἐστίν, ὧν ἄν τις ἀνὴρ ἀγαθὸς ὢν
108 *τύχοι. καὶ ταῦτ' ἀμφότερ' ὀρθῶς ἔχει, καὶ τἀκεῖ καὶ τὰ παρ' ἡμῖν. διὰ τί; ὅτι*[1] *τὰς μὲν διὰ τῶν ὀλίγων πολιτείας τὸ πάντας ἔχειν ἴσον ἀλλήλοις τοὺς τῶν κοινῶν κυρίους ὁμονοεῖν ποιεῖ, τὴν δὲ τῶν* 490
δήμων ἐλευθερίαν ἡ τῶν ἀγαθῶν ἀνδρῶν ἄμιλλ', ἣν ἐπὶ ταῖς παρὰ
109 *τοῦ δήμου δωρειαῖς πρὸς αὐτοὺς ποιοῦνται, φυλάττει. καὶ μὴν*

[1] ὅτι cum Vind. 1 delere vult Bl.

de Rep. Lac. x 3 ὁ δὲ περὶ γεροντίας ἀγὼν ψυχῶν κρίσιν παρέχει. Plut. *Lycurgus* 26 *ἐν ἀγαθοῖς καὶ σώφροσιν ἄριστον καὶ σωφρονέστατον ἔδει κριθέντα νικητήριον ἔχειν τῆς ἀρετῆς διὰ βίου τὸ σύμπαν, ὡς εἰπεῖν, κράτος ἐν τῇ πολιτείᾳ, κύριον ὄντα καὶ θανάτου καὶ ἀτιμίας καὶ ὅλως τῶν μεγίστων.*

κυρίῳ] agreeing with the case of *τινί* understood, 121 fin.

μετὰ τῶν ὁμοίων] 'with his peers', i.e. his own colleagues. The term is probably used with conscious reference to its local application to the general body of Spartan citizens or the *ὅμοιοι*, cf. Xen. *de Rep. Lac.* x 7; Schömann, *Opusc.* i 108, and *Antiquities of Greece*, p. 217 Eng. trans.

ἀραὶ] The solemn imprecations recited by the herald at the beginning of every meeting either of the Assembly or Council. 23 § 97 *καταρᾶται καθ' ἑκάστην ἐκκλησίαν ὁ κῆρυξ...εἴ τις ἐξαπατᾷ λέγων ἢ βουλὴν ἢ δῆμον ἢ τὴν ἡλιαίαν*, 18 §§ 130, 282; 19 §§ 70, 201, Dinarchus 1 § 47; 2 § 16; and the parody in Arist. *Thesm.* 331 *εἴ τις ἐπιβουλεύει τι τῷ δήμῳ κακόν...ἢ τυραννεῖν ἐπινοεῖ.*

καὶ φυλακαί] 'and (other) safeguards', including (amongst others) the magistrates charged with the duty of watching the interests of the state. (Weil, quoting Reiske.)

στέφανοι] complimentary crowns like the golden crown which Ctesiphon afterwards proposed should be given to Demosthenes. Similarly the Council usually received a golden crown at the close of its year of office, 22 § 17. Such a crown was voted to the assassin of Phrynichus, Hicks' *Manual*, no. 56, 10; to Posês the Samian *ὅτι ἀνὴρ ἀγαθός ἐστι περὶ Ἀθηναίους* (ib. 64), to Evagoras (ib. 72), to Dionysius I (ib. 84), and to Spartokos and Paerisades, sons of Leukon (ib. 111).

ἀτέλειαι] *Introd.* § 3.

σιτήσεις] *ἐν πρυτανείῳ, inf.* 120; *F.L.* 330 *ἐν πρυτανείῳ σίτησιν ἢ ἄλλην τινὰ δωρειάν, αἷς τιμᾶτε τοὺς εὐεργέτας.* Lycurg. § 87 *αὐτῷ τε καὶ ἐκγόνοις ἀΐδιον σίτησιν*, Dinarchus 1 § 43. Cic. *de Or.* i 232 (of Socrates) 'ut ei victus quotidianus in Prytaneo publice praeberetur, qui honos apud Graecos maximus habetur'. In an inscription of about 434 B.C. (but possibly earlier) we have a decree of the people (CIA i 8) reciting the persons entitled to this privilege, viz. the priests of the Eleusinian mysteries, the next of kin among the descendants of Harmodius and Aristogeiton (Isaeus 5 § 47, Dein. 1 § 101), also (probably) the *ἐξηγηταὶ* of Apollo, the victors in the Panhellenic games, and perhaps also the victorious generals of Athens (Hermann, *Staatsalt.* § 127, 18—23).

§ 108. **τὰς μὲν—φυλάττει**] 'oligarchical states are kept in harmony by all who are at the head of affairs being on an equality, whilst the freedom of democracies is preserved by the competition of virtuous men for the honours of the people' (Kennedy). *τῶν δήμων*, 'republics', as in § 15.

The Athenian democracy, in the view of Demosthenes, is not a system of perfect equality between citizen and citizen; so far from all who live under it being on one dead level, they have before them as the prize of merit the various rewards which enable the state to draw distinctions among them. On the other hand, the Spartan oligarchy is represented as comprising a body of men who are all equal to one another in rights, are all *ὅμοιοι* as they have been called in § 107, and it owes its permanence to the absence of distinctions which would be invidious among equals. Weil aptly quotes a passage of Montesquieu describing inequality among the different members of the governing body as one of the two

περὶ τοῦ γε[m] μηδὲ Θηβαίους μηδένα τιμᾶν, ἐκεῖν' ἂν ἔχειν εἰπεῖν ἀληθὲς οἶομαι. μεῖζον, ὦ ἄνδρες Ἀθηναῖοι, Θηβαῖοι φρονοῦσιν ἐπ' ὠμότητι καὶ πονηρίᾳ, ἢ ὑμεῖς ἐπὶ φιλανθρωπίᾳ καὶ τῷ τὰ δίκαια βούλεσθαι. μήτ' οὖν ἐκεῖνοί ποτε παύσαιντ', εἰ ἄρ' εὔξασθαι δεῖ τοὺς μὲν αὑτοὺς ἀγαθόν τι ποιοῦντας μήτε τιμῶντες μήτε θαυμάζοντες, τοὺς δὲ συγγενεῖς (ἴστε γὰρ ὃν τρόπον Ὀρχομενὸν[n] διέθηκαν) οὕτω μεταχειριζόμενοι, μήθ' ὑμεῖς τἀναντία τούτοις τοὺς μὲν εὐεργέτας τιμῶντες, παρὰ δὲ τῶν[o] πολιτῶν λόγῳ μετὰ τῶν νόμων τὰ δίκαια λαμβάνοντες. ὅλως δ' οἶμαι τότε δεῖν τοὺς 110
ἑτέρων ἐπαινεῖν τρόπους[p] καὶ ἔθη τοῖς ὑμετέροις ἐπιτιμῶντας, ὅταν ᾖ δεῖξαι βέλτιον ἐκείνους πράττοντας ὑμῶν. ὅτε δ' ὑμεῖς, καλῶς ποιοῦντες, καὶ κατὰ τὰς κοινὰς πράξεις καὶ κατὰ τὴν ὁμόνοιαν καὶ κατὰ τἄλλα πάντ' ἄμεινον ἐκείνων πράττετε, τοῦ χάριν ἂν τῶν ὑμετέρων αὐτῶν ἐθῶν ὀλιγωροῦντες ἐκεῖνα διώκοιτε; εἰ γὰρ καὶ

[m] περὶ τοῦ γε S L O Y etc. περί γε τοῦ (B 1824). [n] ὀρχομενὸν L^1 O Y P, ορχομενον S : Ὀρχομενίους vulg., P in margine et manus recentior in L (B).
[o] παρὰ τῶν δὲ propter tres breves scripsit Bl. [p] τρόπους S L Y O : νόμους A F (B 1824, et Bl), 'de moribus atque indole vel laudanda vel vituperanda nihil dicit orator' (Blass): sed τρόπους non modo codicum meliorum auctoritate nititur sed etiam verbis ὠμότητι καὶ πονηρίᾳ de Thebanorum moribus atque indole in § 109 usurpatis confirmatur.

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principal sources of disorder in aristocratic constitutions (*Esprit des lois* V viii). He also illustrates ἡ τῶν ἀγαθῶν ἀνδρῶν ἄμιλλα from the phrase of the same author (II ii):—'le malheur d'une république, c'est lorsqu'il n'y a plus de brigues' (στάσεις). **πρὸς αὑτούς** = πρὸς ἀλλήλους.

§ 109. **ἂν ἔχειν** (εἰπεῖν) **οἶομαι** = ἔχοιμ' ἂν (εἰπεῖν), § 148. Xen. *Anab.* ii 3 § 18 οἶμαι γὰρ ἂν οὐκ ἀχαριστως μοι ἔχειν, i.e. οὐκ ἂν ἔχοι (Goodwin's *M. and T.* § 41, 1 = § 205 ed. 1889).

Θηβαῖοι] Dem. elsewhere calls the Thebans ἀναίσθητοι 5 § 15, and 18 § 43; and speaks of their ἀναλγησία and βαρύτης (18 § 35) and their σκαιότης τρόπων (6 § 19).

μήτ' οὖν ἐκεῖνοι...θαυμάζοντες] Eur. *Hec.* 328 οἱ βάρβαροι δὲ μήτε τοὺς φίλους φίλους ἡγεῖσθε, μήτε τοὺς καλῶς τεθνηκότας θαυμάζεθ', ὡς ἂν ἡ μὲν Ἑλλὰς εὐτυχῇ, ὑμεῖς δ' ἔχηθ' ὅμοια τοῖς βουλεύμασιν (Wolf).

Ὀρχομενὸν] In 364 the Thebans destroyed Orchomenos, massacred the men and sold the women and children into slavery (Diod. xv 79). Like the smaller towns of Thespiae and Plataea, this ancient city was hateful to the Thebans (cf. 16 § 4). The people of Orchomenos are called συγγενεῖς possibly because, at the instance of Epaminondas, they had a few years earlier been received into the Boeotian confederacy (Diod. xv 57).

τἀναντία τούτοις] (masc.) 21 § 40; Lycurgus § 64; the acc. in apposition to the whole clause; Rehdantz, *index*^{2}, acc. 4 ad fin.

§ 110. **τότε**] *tum demum.*

βέλτιον πράττοντας] Since the death of Epaminondas (362) Thebes had been declining in power and it was much weakened during the Sacred War with Phocis which began in 357.

καλῶς ποιοῦντες] 'as I rejoice to say' (Kennedy); 'and rightly too'; *benignitate deûm* (Voemel). The participial phrase indicates the speaker's attitude towards the fact that he is mentioning. Sometimes the indic. is used as in 149, καὶ καλῶς ἐποίει. But the participle is very frequent: e.g. 1 § 28; 10 § 38; 18 § 231; 21 § 2; 57 § 6; *Ep.* 1 § 8; 2 §§ 2, 13, 19; 3 § 26; εὖ ποιῶν 23 §§ 143, 163 (Rehdantz, *index*^{2}, particip., ad fin.).

κατὰ τὸν[q] λογισμὸν ἐκεῖνα φανείη βελτίω, τῆς γε τύχης εἵνεκα[r], ἢ
111 παρὰ ταῦτ' ἀγαθῇ κέχρησθ', ἐπὶ τούτων ἄξιον μεῖναι. εἰ δὲ δεῖ παρὰ πάντα ταῦτ' εἰπεῖν ὃ δίκαιον ἡγοῦμαι, ἐκεῖν' ἂν ἔγωγ' εἴποιμι. οὐκ ἔστι δίκαιον, ὦ ἄνδρες Ἀθηναῖοι, τοὺς Λακεδαιμονίων νόμους οὐδὲ τοὺς Θηβαίων λέγειν ἐπὶ τῷ τοὺς ἐνθάδε λυμαίνεσθαι, οὐδὲ δι' ὧν μὲν ἐκεῖνοι μεγάλοι [τῆς ὀλιγαρχίας καὶ δεσποτείας εἰσί][s], κἂν ἀποκτεῖναι βούλεσθαι τὸν παρ' ἡμῖν τούτων τι κατασκευάσαντα, διὰ δ' ὧν ὁ παρ' ἡμῖν δῆμος εὐδαίμων, ταῦθ' ὡς ἀνελεῖν δεῖ λεγόντων τινῶν ἐθέλειν ἀκούειν.

112 Ἔστιν τοίνυν τις πρόχειρος λόγος, ὡς ἄρα καὶ παρ' ἡμῖν ἐπὶ 491
τῶν προγόνων πόλλ' ἀγάθ' εἰργασμένοι τινὲς οὐδενὸς ἠξιοῦντο τοιούτου, ἀλλ' ἀγαπητῶς ἐπιγράμματος ἐν τοῖς Ἑρμαῖς ἔτυχον[t].

[q] 'sine articulo dicebant κατὰ λογισμόν et ἐκ λογισμοῦ ut frag. 780, 2 τὴν ἐκ λογισμοῦ σωτηρίαν, et aliis locis' Cobet. Sed articulo omisso tres breves sine causa concurrunt. [r] εἵνεκα Bl: ἕνεκα codd. [s] τῆς ὀλιγαρχίας καὶ δεσποτείας (δεσποτίας S^1 et L) codices omnes: delere voluerunt Lambinus, F. A. Wolf, G. H. Schaefer (Z B D); etiam εἰσὶ propter hiatum (μεγάλοι εἰσὶ) seclusit Westermann (W). ἐκείνοις μεγάλα τὰ τῆς ὀλιγαρχίας καὶ δεσποτείας ἐστί conicit W;. verba retinet Bl, addito μετὰ post μεγάλοι et collato 109 μετὰ τῶν νόμων. 'Opponitur ὁ παρ' ἡμῖν δῆμος. Schol. p. 507, 4 δι' ὧν ἐκεῖνοι τὴν ὀλιγαρχίαν συνέχουσιν' (Bl).
[t] ἔτυχον S vulg. (edd.): ἐτύγχανον L F al.

τῆς γε τύχης εἵνεκα] Lysias 30 § 18 ἄξιον ἡμῖν τὰς αὐτὰς ἐκείνοις (your ancestors) θυσίας ποιεῖσθαι καὶ εἰ μηδὲν δι' ἄλλο, τῆς τύχης ἕνεκα τῆς ἐξ ἐκείνων τῶν ἱερῶν γεγενημένης, where the present passage had led some editors to prefer τῆς γε τύχης.

παρὰ ταῦτ'] *during* the existence of these institutions; 41, 46, 55, 86, 159.

§ 111. **παρὰ πάντα ταῦτ'**] 'beside', as in 160, and 8 § 76.

οὐδὲ (δίκαιόν ἐστι) βούλεσθαι μὲν κἂν ἀποκτεῖναι τὸν παρ' ἡμῖν κατασκευάσαντά τι τούτων, δι' ὧν ἐκεῖνοι μεγάλοι εἰσίν, ἐθέλειν δ' ἀκούειν τινῶν λεγόντων ὡς ἀνελεῖν δεῖ ταῦτα δι' ὧν ὁ παρ' ἡμῖν δῆμος εὐδαίμων. 'It is not just that you should be ready to kill [or 'be desirous of killing'] a man who established among us any of the usages which make them great; and yet that you should [be willing to] give ear to persons advising the destruction of a system by which our democracy prospers' (Kennedy).

δι' ὧν μὲν...διὰ δ' ὧν] 18 § 250 ἐν μὲν οἷς...ἐν οἷς δέ.

βούλεσθαι—ἐθέλειν] In Attic Greek βούλεσθαι implies a *positive wish; ἐθέλειν the mere negative idea of willingness—having no objection* (Shilleto on *F. L.* p. 348 § 26 οὔτ' ἀκούειν ἠθέλετε οὔτε πιστεύειν ἐβούλεσθε. Cf. 1 § 1 προσήκει προθύμως ἐθέλειν ἀκούειν τῶν βουλομένων συμβουλεύειν.

κατασκευάσαντα] here, as often, used in a bad sense, of *contriving* or *plotting*.

§ 112. Another argument on the opposite side is here anticipated.

τοιούτου] such as the ἀτέλεια. **ἀγαπητῶς ἔτυχον**, 'were content with obtaining'.

ἐν τοῖς Ἑρμαῖς] a portico adorned with Hermes-busts, in the market place. Harpocr. quotes Menekles or Kallikrates ἐν τῷ περὶ Ἀθηνῶν as follows: ἀπὸ γάρ τῆς Ποικίλης καὶ τῆς τοῦ βασιλέως στοᾶς εἰσὶν οἱ Ἑρμαῖ καλούμενοι. See Milchhöfer's article on Athens in Baumeister's *Denkmäler*, i 166.

Aesch. 3 § 183 (of those who fought in Kimon's victory over the Medes, on the Strymon) οὗτοι δεῦρο ἀφικόμενοι τὸν δῆμον ᾔτησαν δωρειάν, καὶ ἔδωκεν αὐτοῖς ὁ δῆμος τιμὰς μεγάλας, ὡς τότ' ἐδόκει, τρεῖς λιθίνους Ἑρμᾶς στῆσαι ἐν τῇ στοᾷ τῇ τῶν Ἑρμῶν, ἐφ' ᾧτε μὴ ἐπιγράφειν τὰ ὀνόματα τὰ ἑαυτῶν.

καὶ ἴσως τοῦθ' ὑμῖν ἀναγνώσεται τὸ ἐπίγραμμα[u]. ἐγὼ δ' ἡγοῦμαι
τοῦτον τὸν λόγον, ὦ ἄνδρες Ἀθηναῖοι, κατὰ πόλλ' ἀσύμφορον εἶναι 113
τῇ πόλει λέγεσθαι, πρὸς δὲ καὶ οὐδὲ[v] δίκαιον. εἰ μὲν γὰρ ἀναξίους
εἶναί τις φήσει κἀκείνους τιμᾶσθαι, τίς ἄξιος, εἰπάτω, εἰ μήτε τῶν
προτέρων μηδεὶς μήτε τῶν ὑστέρων[w]· εἰ δὲ μηδένα φήσει, συναχ-
θεσθείην ἂν ἔγωγε τῇ πόλει, εἰ μηδεὶς ἐν ἅπαντι τῷ χρόνῳ γέγον'[x]
ἄξιος εὖ παθεῖν. καὶ μὴν εἴ γ' ὁμολογῶν ἐκείνους εἶναι σπουδαίους
μὴ τετυχηκότας δείξει μηδενός, τῆς πόλεως ὡς ἀχαρίστου δήπου
κατηγορεῖ. ἔστι δ' οὐχ οὕτω ταῦτ' ἔχοντα, οὐδ' ὀλίγου δεῖ[y], ἀλλ'
ἐπειδάν τις οἶμαι κακουργῶν ἐπὶ μὴ προσήκοντα πράγματα τοὺς
λόγους μεταφέρῃ, δυσχερεῖς ἀνάγκη φαίνεσθαι. ὡς δὲ τἀληθές τ' 114
ἔχει καὶ δίκαιόν ἐστι λέγειν, ἐγὼ πρὸς ὑμᾶς ἐρῶ. ἦσαν, ὦ ἄνδρες
Ἀθηναῖοι, πολλοὶ τῶν πρότερον σπουδαῖοι, καὶ ἡ πόλις ἡμῶν ἐτίμα
καὶ τότε τοὺς ἀγαθούς· αἱ μέντοι τιμαὶ καὶ τἄλλα[z] πάντα τὰ μὲν
τότ' ἦν ἐπὶ τοῖς τότ' ἔθεσιν[a], τὰ δὲ νῦν ἐπὶ τοῖς νῦν. πρὸς οὖν τί

[u] τοὐπ. (W Wr). τοιοῦθ' ὑμῖν...τι (sic) ἐπίγραμμα F. A. Wolf; ταῦθ'...τἀπιγράμματα Dobree. 'Postulat rei natura pluralem numerum... Vulgatam si retinebimus videbitur ἐν τοῖς Ἑρμαῖς unum atque idem epigramma pluribus commune inscriptum fuisse, quod verum non esse constat. Nempe quod Demosthenes Leptinem facturum esse suspicatur Aeschines in Ctesiphontea fecit, qui tria epigrammata ἐν τοῖς Ἑρμαῖς incisa iudicibus recitavit' Cobet. [v] οὐδὲ S L: οὐ vulgg. (B 1824). [w] προτέρων... ὑστέρων S O A: πρότερον...ὕστερον L vulg. (B W). εἰ μήτε—ὑστέρων del. Markland, Dobree, Cobet; sed verba ista oratoris sensum plenius et accuratius exprimere et sententiae ipsius concinnitati inservire recte ostendit Weil. [x] γέγονεν vulgo.
[y] δεῖ H. Wolf (D W Wr): δεῖν codd. (Z B V Bl), post δεῖν plenius interpunxerunt Z B V, commatis tantum signum posuit Bl, cui οὐδ' ὀλίγου δεῖν cum eis quae sequuntur coniungenda esse videntur. [z] τἄλλα secl. Bl, coll. schol. p. 508, 14, ἵνα μὴ ἡμεῖφθαι τῷ χρόνῳ μόνη ἡ τιμὴ δόξῃ, ἀλλὰ καὶ πάντα τὰ πράγματα. [a] ἔθεσιν codd. (V Wr Bl): ἔθεσι.

τὸ ἐπίγραμμα] the inscription quoted by Aeschines in the above passage, and by Plut. *Kimon* 7. The inscr. consisted of three separate sets of verses distributed over three Ἑρμαῖ. **πρὸς**, adverbial.

§ 113. **εἰ μὲν**] The true antithesis to this is not to be found in the clause beginning **εἰ δέ**, which represents an inference from it, but in the *next* sentence beginning **καὶ μήν**.

τῶν προτέρων μηδεὶς] if the victors on the Strymon are unworthy of honour; **τῶν ὑστέρων**, if the view of Leptines is to be accepted.

συναχθεσθείην] 'should feel deeply for'. **οὐδ' ὀλίγου δεῖ**, 19 § 184; 24 § 195. If the manuscript reading **δεῖν** is retained, we must understand it as an adverbial use of a phrase containing a 'limiting infinitive', as in 9 § 1 **πολλῶν λόγων γιγνομένων ὀλίγου δεῖν καθ' ἑκάστην ἐκκλησίαν**, and 18 § 20 **πρὸς τὸ λαβεῖν ὀλίγου δεῖν ὑμᾶς ἐκόντας ἐξαπατωμένους**. These are the only passages in which **ὀλίγου δεῖν** is certainly right in Dem. In 27 §§ 24, 29 the best MS has **δεῖ**. **μικροῦ δεῖν** occurs in 18 § 269, 553 and **πολλοῦ δεῖν** 23 § 7. **ὀλίγου δεῖν** is found in Isocr. 5 § 51, 6 § 65, 7 § 69, 15 § 159, and Aeschin. 3 § 165 (Grünenwald, *Infinitiv der Limitation*, 1888, p. 8).

κακουργῶν] using insidious, or sophistical, arguments; Plato *Rep.* 341 B **πρὸς ταῦτα κακούργει καὶ συκοφάντει**. 'The fact is, when a man *insidiously* misapplies his arguments, they cannot help having an awkward appearance'. **δυσχερεῖς**, Weil quotes the schol. **δυσφήμους καὶ κακούς**, and translates it *odieux*.

§ 114. **ἦν ἐπὶ τοῖς—ἔθεσιν**] *pendebant e moribus* (G. H. Schaefer); 'were under the influence of, in the spirit of'

τοῦτο λέγω; ὅτι φήσαιμ' ἂν ἔγωγ' ἐκείνους οὐκ ἔσθ' ὅτου παρὰ τῆς
115 πόλεως οὐ τυχεῖν ὧν ἐβουλήθησαν. τίνι χρώμενος τεκμηρίῳ; ὅτι
Λυσιμάχῳ δωρειάν, ἐνὶ τῶν τότε χρησίμων, ἑκατὸν μὲν ἐν Εὐβοίᾳ
πλέθρα γῆς πεφυτευμένης ἔδοσαν, ἑκατὸν δὲ ψιλῆς, ἔτι δ' ἀργυρίου
μνᾶς ἑκατόν, καὶ τέτταρας τῆς ἡμέρας δραχμάς. καὶ τούτων[b] 492
ψήφισμ' ἔστ' Ἀλκιβιάδου, ἐν ᾧ ταῦτα γέγραπται. τότε μὲν γὰρ
ἡ πόλις ἡμῶν καὶ γῆς ηὐπόρει[c] καὶ χρημάτων, νῦν δ' εὐπορήσει·
δεῖ γὰρ οὕτω λέγειν καὶ μὴ βλασφημεῖν[d]. καίτοι τίν' οὐκ ἂν
οἴεσθε νῦν τὸ τρίτον μέρος τούτων ἀντὶ τῆς ἀτελείας ἑλέσθαι; ὅτι
τοίνυν[e] ἀληθῆ λέγω, λαβέ μοι τὸ ψήφισμα τουτί[f].

ΨΗΦΙΣΜΑ.

116 Ὅτι μὲν τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, καὶ τοῖς προγόνοις ὑμῶν
ἔθος ἦν τοὺς χρηστοὺς τιμᾶν, δηλοῖ τὸ ψήφισμα τουτί· εἰ δὲ μὴ

[b] τούτῳ coniecit Tournier. [c] ηὐπόρει (D W Bl) : εὐπόρει codd. (Z B V Wr) ἠ εὐπόρει S, η super diphthongum mediam eadem manu scripto quod ἠπόρει indicare existimat Voemel. [d] δυσφημεῖν coniecit Hertlein (V, sed βλασφημεῖν revocavit in addendis p. 192). [e] ταῦτ' L vulg. (Z B). [f] +λέγε vulg. (D): om. S L A O Y.

(West.); 'were on the footing of, were consistent with'. **οὐκ ἔσθ' ὅτου...οὐ τυχεῖν ὧν** = ἁπάντων τυχεῖν ἄ. CIA ii 86, 9 οὐκ ἔστι ὅτι ἀτυχήσει παρὰ Ἀθηναίων ὧν ἂν δέηται. Soph. *Aj.* 725 οὔτις ἔσθ' ὅς οὔ.

§ 115. **Λυσιμάχῳ**] son of Aristeides (Harpocration s. v.). It was to his father's merits that he was indebted for this reward; he was himself a person of no special mark. Plato, *Meno* 94 A οὔκουν καὶ οὗτος (Aristeides) τὸν παῖδα τὸν αὑτοῦ Λυσίμαχον, ὅσα μὲν διδασκάλων εἵνεκα, κάλλιστα Ἀθηναίων ἐπαίδευσεν· ἄνδρα δὲ δοκεῖ σοι ὁτουοῦν βελτίω πεποιηκέναι; He is one of the interlocutors in the *Laches*, 179 C. In the *Ancient Greek Inscr. in the British Museum*, I lxxxv, we have a sepulchral column bearing the name of Ἀριστείδης Λυσιμάχου Ἐστιαιόθεν (CIG 629). But (as observed by Mr Hicks) the late character of the letters makes it improbable that the Lysimachus of the inscription is the son of Aristeides the Just. It is possible, however, that he may be one of his descendants. Ἐστιαιόθεν is most naturally understood of the Attic deme of Ἑστιαία and not of the place of that name in Euboea.

Εὐβοίᾳ] then dependent on Athens.

πλέθρον] a hundred (Gk.) feet square; about 4½ πλέθρα make an acre; thus a πλέθρον is roughly equivalent to one *rood*.

πεφυτευμένης] woodland; ψιλῆς, arable land; cleared of trees, and therefore open to cultivation. Suidas art. πλέθρον contrasts πεφυτευμένη with ἀροσίμη (Weil).

The land assigned was part of that which had remained unallotted after the Periclean occupation of Euboea, in 446 B.C., Thuc. i 114; Plut. *Per.* 232 (West.).

τούτων, on these points, explained afterwards by ἐν ᾧ ταῦτα γέγραπται.

νῦν δ' εὐπορήσει] 'But now,—her prosperity is still in the future'. The state was poor at the time, § 24 χρήματ' οὐκ ἔχομεν. The orator prefers the language of euphemism to a brutal plainness of speech like that of Leptines. βλασφημία and εὐφημία are contrasted in 25 § 26.

οὐκ ἂν οἴεσθε...ἑλέσθαι] In construction ἄν is to be taken with ἑλέσθαι alone, though it is placed with the verb on which ἑλέσθαι depends. Goodwin, *M. and T.* § 42, 2 note = § 220 ed. 1889.

ὅτι, '(to prove) that': '(as evidence) that'. 18 §§ 37, [illegible] 118, 135, 137; 21 §§ 82, 93, [illegible] 174; 23 §§ 151, 159, 174; 54 [illegible] §§ 27, 28, 43. Rehdantz on [illegible] 129.

τοῖς αὐτοῖς οἷσπερ ἡμεῖς νῦν, ἕτερόν τι[g] τοῦτ' ἂν εἴη. εἰ τοίνυν μήτε Λυσίμαχον μήτ' ἄλλον μηδένα μηδὲν εὑρῆσθαι παρὰ τῶν προγόνων ἡμῶν συγχωρήσαιμεν, τί μᾶλλον οἷς ἔδομεν νῦν ἡμεῖς διὰ τοῦτο δικαίως ἂν ἀφαιρεθεῖεν; οὐ γὰρ οἱ μὴ δόντες ἃ μὴ 'δόκει[h] 117
δεινόν εἰσιν οὐδὲν εἰργασμένοι, ἀλλ' οἱ δόντες μέν, πάλιν δ' ὕστερον μηδὲν ἐγκαλοῦντες ἀφαιρούμενοι. εἰ μὲν γάρ τις ἔχει δεῖξαι κἀκείνους ὧν ἔδοσάν τῳ τι[i], τοῦτ'[k] ἀφῃρημένους, συγχωρῶ καὶ ὑμᾶς ταὐτὸ τοῦτο ποιῆσαι, καίτοι τό γ'[l] αἰσχρὸν ὁμοίως· εἰ δὲ μηδ' ἂν εἷς ἐν ἅπαντι τῷ χρόνῳ τοῦτ' ἔχοι δεῖξαι γεγονός, τίνος εἵνεκ'[m] ἐφ' ἡμῶν πρώτων καταδειχθῇ τοιοῦτ' ἔργον;

Χρὴ τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, κἀκεῖνο ἐνθυμεῖσθαι καὶ ὁρᾶν, 118
ὅτι νῦν ὀμωμοκότες κατὰ τοὺς νόμους δικάσειν ἥκετε, οὐχὶ τοὺς Λακεδαιμονίων οὐδὲ Θηβαίων, οὐδ' οἷς ποτ' ἐχρήσανθ' οἱ πρῶτοι τῶν προγόνων[n], ἀλλὰ καθ' οὓς ἔλαβον τὰς ἀτελείας οὓς ἀφαιρεῖται νῦν οὗτος τῷ νόμῳ, καὶ περὶ ὧν ἂν νόμοι μὴ ὦσι, γνώμῃ τῇ
493 δικαιοτάτῃ κρινεῖν. καλῶς[o]. τὸ τοίνυν τῆς γνώμης πρὸς ἅπαντ' ἀνενέγκατε τὸν νόμον. ἆρ' οὖν δίκαιον, ὦ ἄνδρες Ἀθηναῖοι, τοὺς εὐεργέτας τιμᾶν; δίκαιον. τί δ'[p]; ὅσ' ἂν δῷ τις ἅπαξ, δίκαιον 119

[g] ἕτερον τί S (ἕτερον τί τοῦτ' ἂν εἴη; Bake et V). [h] μὴ 'δόκει Weil (Bl) : μὴ δοκεῖ. [i] post τι solus interpunxit V. [k] τοῦτων Bake et Madvig *Adv. Crit.* i 459. [l] καίτοι τό γ' vulgo, correctus S (Z B V Bl ; καὶ τοιοῦτό γ' S[1] ; καὶ τοιοῦτον L in margine ; καίτοι τοῦτό γ' H. Wolf (D W Wr). καίτοι αἰσχρόν γ' ὁμοίως Dobree. [m] εἵνεκ' codd. : ἕνεκ' D. [n] οἱ πρὸ τοῦ [τῶν προγόνων] Dobree. [o] καλῶς delet Hirschig, *Philol.* v 333. [p] τί δ'; (D Bl) : τί δ' (Z B V) ; τί δ', (W Wr) ; τί δαί, (B 1824).

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§ 116. **ἕτερόν τι τοῦτ' ἂν εἴη**, 'that would be another question', 'that has nothing to do with the present business'.

τί μᾶλλον κ.τ.λ.] 'Is *that* any reason why...?'

νῦν, 'recently'. For this sense of **νῦν** 'just now', cf. Eur. *Iph. T.* 327.

§ 117. **οὐ γὰρ** κ.τ.λ.] cf. 56.

ὧν ἔδοσάν τῳ τι, τοῦτ' = *τι τῶν τινι δοθέντων, τοῦτ'*, cf. 120. *τι* is caught up by *τοῦτ'*, and is therefore, like it, the object of *ἀφῃρημένους*.

τό γ' αἰσχρὸν ὁμοίως] 'the disgrace is there, all the same'.

τίνος εἵνεκ'] Weber, *Aristocr.* p. 403 (quoted by Whiston) supposes that **εἵνεκα** is here preferred to **ἕνεκα**, because 'quinque brevium syllabarum continuatio non admodum iucunda est auribus, praecipue initio interrogationis ubi vocis impressio quaedam postulatur'. Blass has since drawn attention to the fact that Dem. so far as practicable avoids the concurrence of as many as *three* short syllables. § 82.

ἐφ' ἡμῶν, in our own time. **καταδειχθῇ**, of a precedent set, an example given.

§§ 118—9. A kind of peroration to §§ 105—111 and 112—117 (Weil).

§ 118. **ὀμωμοκότες—ἥκετε**] 'You, who are here present, have sworn to give judgment in accordance with the laws'. The court consists of a jury taken out of the general body of those who at the beginning of the year took the Heliastic oath (24 § 148). Here, as often, we have to shew in translation that the main emphasis is on the participle, and to render it accordingly by a principal verb, while we subordinate the sense of the verb.

οἱ πρῶτοι τῶν προγόνων, 'the earliest of our ancestors', i. e. not our immediate ancestors, but those of still earlier date; but the phrase is open to suspicion.

γνώμῃ τῇ δικαιοτάτῃ, 'according to the best of your judgment'. Ar. *Rhet.* i 15 § 5. **τὸ τῆς γνώμης**, a brief equivalent for *γνώμην τὴν δικαιοτάτην*.

ἔχειν ἐᾶν; δίκαιον. ταῦτα τοίνυν αὐτοί τε ποιεῖθ', ἵν' εὐορκῆτε, καὶ τοὺς προγόνους ὀργίζεσθ' ἐὰν μή τις φῇ ποιεῖν, καὶ τοὺς τὰ τοιαῦτα λέγοντας παραδείγματα, ὡς ἄρ' ἐκεῖνοι μεγάλ' εὖ παθόντες οὐδέν' ἐτίμησαν, καὶ πονηροὺς καὶ ἀπαιδεύτους ἡγεῖσθ' εἶναι, πονηροὺς μὲν διότι καταψεύδονται τῶν προγόνων ὑμῶν ὡς ἀχαρίστων, ἀμαθεῖς δὲ διότι ἐκεῖνο ἀγνοοῦσιν, ὅτι εἰ τὰ μάλιστα ταῦθ' οὕτως εἶχεν, ἀρνεῖσθαι μᾶλλον ἢ λέγειν αὐτοῖς προσῆκεν.

120 Οἶομαι[q] τοίνυν καὶ τοῦτον τὸν λόγον Λεπτίνην ἐρεῖν, ὡς τὰς εἰκόνας καὶ τὴν σίτησιν οὐκ ἀφαιρεῖται τῶν εἰληφότων ὁ νόμος, οὐδὲ τῆς πόλεως τὸ τιμᾶν τοὺς ὄντας ἀξίους, ἀλλ' ἔσται καὶ χαλκοῦς[r] ἱστάναι καὶ σίτησιν διδόναι καὶ ἄλλ' ὅ τι ἂν βούλησθε, πλὴν τούτου. ἐγὼ δ' ὑπὲρ ὧν μὲν τῇ πόλει καταλείπειν φήσει, τοσοῦτο λέγω· ὅταν[s] ὧν ἐδώκατέ τῳ πρότερόν τι, τοῦτ' ἀφέλησθε, καὶ τὰς ὑπολοίπους ἀπίστους ποιήσετε πάσας δωρειάς. τί γὰρ ἔσται πιστότερον τὸ τῆς εἰκόνος ἢ [τὸ][t] τῆς σιτήσεως ἢ τὸ τῆς
121 ἀτελείας, ἣν πρότερόν τισι δόντες ἀφῃρημένοι φανεῖσθε; ἔτι δ' εἰ μηδὲν ἔμελλε τοῦτ' ἔσεσθαι δυσχερές, οὐδ' ἐκεῖνο καλῶς ἔχειν ἡγοῦμαι, εἰς τοιαύτην ἄγειν ἀνάγκην τὴν πόλιν, δι' ἧς ἅπαντας ἐξ ἴσου τῶν αὐτῶν ἀξιώσει τοῖς τὰ μέγιστ' εὐεργετοῦσιν, ἢ μὴ τοῦτο ποιοῦσα χάριν τισὶν οὐκ ἀποδώσει. μεγάλων μὲν οὖν εὐεργεσιῶν οὔθ' ὑμῖν συμφέρει συμβαίνειν πολλάκις καιρόν, οὔτ' 494
122 ἴσως ῥᾴδιον αἰτίῳ γενέσθαι· μετρίων δὲ καὶ ὧν ἐν[u] εἰρήνῃ τις καὶ

[q] οἶομαι S L A (V W Bl): οἶμαι vulg. (Z B D Wr). [r] καὶ χαλκοῦς L F X (B 1824, Wr Bl): χαλκοῦς S. [s] ὅταν A (Z V W Wr Bl): ὅτ' ἂν S Y O P: ὅτι ἂν L X (B D). [t] τὸ om. A (D W Bl). [u] ὧν ἂν ἐν A s Vind 1 (Bl, ἂν pdst δύναιτ' propter tres breves deleto): ὧν ἐν—δύναιτ' ἂν ceteri.

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§ 119. **τοὺς προγόνους**, though the subject of *ποιεῖν*, is separated from it and placed in an emphatic position to contrast it with *αὐτοί* in the previous clause.

ἀμαθεῖς, synonymous with *ἀπαιδεύτους*.

εἰ τὰ μάλιστα..., 'even if it had been *ever so* true'.

§ 120. **τὰς εἰκόνας**, 70. **τὴν σίτησιν**, 107. **τούτου**, *τῆς ἀτελείας*. **χαλκοῦς ἱστάναι**, 13 § 21; 19 § 261 *Φίλιππον...χαλκοῦν ἱστάσαι* and 330 *ἔστιν ὄντιν' ὑμεῖς τῶν πρεσβέων...χαλκοῦν στήσαιτ' ἂν ἐν ἀγορᾷ; τί δέ; δοίητ' ἂν ἐν πρυτανείῳ σίτησιν ἢ ἄλλην τινὰ δωρειάν, αἷς τιμᾶτε τοὺς εὐεργέτας;* **ὑπὲρ ὧν μέν**, the corresponding clause is delayed until the beginning of § 123. The second of the two points suggested above is expanded first[illegible] the first, second. **τῇ πόλει**, en[illegible] contrasted with *τοῖς εὑρημένοις* in the parallel clause, § 123.

ὧν ἐδώκατέ τῳ...τι] 117. **τί**—'*In what respect* will the grant of the statue *or* that of the maintenance be any more trustworthy *than* that of the immunity?' The first *ἤ*=*vel*; the second, *quam* as in § 43.

§ 121. **ἅπαντας ἐξ ἴσου**=*ἅπαντας ὁμοίως*, 85.

τῶν αὐτῶν, constructed with *τοῖς—εὐεργετοῦσιν*.

ἢ μὴ—ἀποδώσει] an unobtrusive hexameter. The oratorical emphasis, on *μὴ* and *τισὶν* and *οὐκ*, would have prevented the accidentally metrical form being noticed. Cf. § 8.

μεγάλων, e.g. in war. **αἰτίῳ γενέσθαι**, 107.

πολιτείᾳ δύναιτ' ἂν ἐφικέσθαι, εὐνοίας, δικαιοσύνης, ἐπιμελείας, τῶν τοιούτων, καὶ συμφέρειν ἔμοιγε δοκεῖ καὶ χρῆναι διδόναι[v] τὰς τιμάς. δεῖ τοίνυν μεμερίσθαι καὶ[w] τὰ τῶν δωρειῶν, ἵν' ἧς ἂν ἄξιος ὢν ἕκαστος φαίνηται, ταύτην παρὰ τοῦ δήμου λαμβάνῃ τὴν δωρειάν. ἀλλὰ μὴν ὑπὲρ ὧν γε τοῖς εὑρημένοις τὰς τιμὰς κατα- 123
λείπειν φήσει, οἱ μὲν ἁπλᾶ πάνυ καὶ δίκαι' ἂν εἴποιεν, πάνθ' ὅσα τῶν αὐτῶν ἕνεκ'[x] αὐτοῖς ἔδοτ' εὐεργεσιῶν ἀξιοῦντες ἔχειν, οἱ δὲ φενακίζειν τὸν ὡς καταλείπεται[y] λέγοντά τι αὐτοῖς. ὁ γὰρ ἄξια τῆς ἀτελείας εὖ πεποιηκέναι δόξας καὶ ταύτην παρ' ὑμῶν λαβὼν τὴν τιμὴν μόνην, ἢ ξένος ἢ καί τις πολίτης, ἐπειδὰν ἀφαιρεθῇ ταύτην, τίν' ἔχει λοιπὴν δωρειάν, Λεπτίνη; οὐδεμίαν δήπου[z]. μὴ τοίνυν διὰ μὲν τοῦ τῶνδε κατηγορεῖν ὡς φαύλων ἐκείνους ἀφαιροῦ, δι' ἃ δ' αὖ καταλείπειν ἐκείνοις φήσεις, τούσδ' ὃ μόνον λαβόντες
ἔχουσι, τοῦτ' ἀφέλῃ. ὡς δ' ἁπλῶς εἰπεῖν, οὐκ εἰ τῶν πάντων 124
ἀδικήσομέν τιν' ἢ[a] μεῖζον' ἢ ἐλάττονα, δεινόν ἐστιν, ἀλλ' εἰ τὰς τιμάς, αἷς ἂν ἀντ' εὖ ποιήσωμέν[b] τινας, ἀπίστους καταστήσομεν· οὐδ' ὁ πλεῖστος ἔμοιγε λόγος περὶ τῆς ἀτελείας ἐστίν, ἀλλ' ὑπὲρ

[v] διδόναι ἀεὶ hiatu admisso Hirschig, *Philol.* v 333, 'deest enim particula quae respondeat τῷ πολλάκις'. [w] καὶ delet Bl, collato scholio 511, 26 δεῖ τοίνυν μεμερίσθαι τὰ τῶν τιμῶν. 'Num τιμῶν recipiendum? Ita τὴν δωρεάν, quod delet Cobetus, offensione carebit' Blass. [x] ἕνεκ' codd.: εἵνεκ' (Wr). [y] καταλείπεται S A: καταλείπεσθαι L F O Y X (Bl omisso ὡς cum X). [z] δήπου L vulg. (B 1824, D V W Wr): om. Z Bl; 'fortasse casu propter μηποι omisit textus S, in margine habens a recentiore' Voemel. [a] ἢ add. A (D et Bl qui confert Aristid. i 561, ii 607): om. S, vulgo. [b] ἀντ' εὖ π. (D Bl): ἀντευποιήσωμέν (Z B V W Wr).

§ 122. **εὐνοίας, δικαιοσύνης, ἐπιμελείας**] 'loyalty, integrity, diligence' (Kennedy), or rather 'faithfulness to one's trust'. These with *ἀρετή*, *καλοκαγαθία* and *ἀνδραγαθία* are the usual grounds for granting *tituli honorarii* (Westermann). e.g. *Androt.* 72 *ἀνδραγαθίας ἕνεκα καὶ δικαιοσύνης*, CIA ii 1 *ὁ ἀνδραγαθίας ἕνεκα καὶ εὐνοίας*, 170 *ἀρετῆς ἕνεκα καὶ εὐνοίας*, 872 and 1156—7 *ἀρετῆς ἕνεκα καὶ δικαιοσύνης*, 256 *ὁ εὐνοίας ἕνεκα καὶ ἐπιμελείας*. **τῶν τοιούτων**, as usual, without the conjunction, at the end of an enumeration; similarly in Latin we constantly find *cetera*, instead of *et cetera*.

μεμερίσθαι, apportioned by a kind of graduated scale, according to the merits of the recipients.

§ 123. **οἱ μέν**, those who have received other rewards, besides the immunity. **οἱ δέ**, those who have received the immunity alone.

τῶν αὐτῶν—εὐεργεσιῶν, in consideration of 'the same services'; their *ἀτέλεια* rests on the same grounds as their other rewards, and stands or falls with them.

ἄξια...εὖ πεποιηκέναι] 47 *ἄξια...εὖ πάσχειν*.

τῶνδε and **τούσδε** correspond to the second of the two classes above mentioned, the *οἱ δὲ* of l. 3; while *ἐκείνους* and *ἐκείνοις* refer to the first class, the *οἱ μὲν* of l. 2 of this §.

ἀφαιροῦ...ἀφέλῃ] Kühner, 202, 3. Westermann explains the change of tenses by pointing out that the former refers to what has already resulted from the action of Leptines; the latter to that which may result from it in the future.

§ 124. **ὑπὲρ**=*περί*, as in 19 § 94; 45 § 11; 57 § 45; in all of which passages we have *ὑπὲρ* in the second clause corresponding (as here) to *περί* in the first. It may be added that in all these passages the use of *ἀλλ' ὑπὲρ* or *οὐδ' ὑπὲρ* prevents the collocation of more than two short syllables.—*ἀλλὰ περί*, *οὐδὲ περί*. In the last of the three it is to be

τοῦ[c] πονηρὸν ἔθος τὸν νόμον εἰσάγειν καὶ τοιοῦτον, δι' οὗ πάντ' ἄπιστα ὅσ' ὁ δῆμος δίδωσιν ἔσται.

125 Ὃν τοίνυν κακουργότατον οἴονται λόγον εὑρηκέναι πρὸς τὸ τὰς ἀτελείας ὑμᾶς ἀφελέσθαι πεῖσαι, βέλτιόν ἐστι προειπεῖν, ἵνα μὴ λάθητ' ἐξαπατηθέντες. ἐροῦσ'[d] ὅτι ταῦθ' ἱερῶν ἐστιν ἅπαντα τἀναλώμαθ', αἱ χορηγίαι καὶ αἱ γυμνασιαρχίαι[e]· δεινὸν οὖν, εἰ τῶν 495
ἱερῶν ἀτελής τις[f] ἀφεθήσεται. ἐγὼ δὲ τὸ μέν τινας, οἷς ὁ δῆμος ἔδωκ', ἀτελεῖς εἶναι τούτων δίκαιον ἡγοῦμαι, ὃ δὲ νῦν οὗτοι
126 ποιήσουσιν, ἐὰν ἄρα ταῦτα λέγωσι, τοῦτ' εἶναι δεινὸν νομίζω. εἰ γὰρ ἃ [κατὰ][g] μηδέν' ἄλλον ἔχουσι τρόπον δεῖξαι δίκαιον ὑμᾶς ἀφελέσθαι, ταῦτ' ἐπὶ τῷ τῶν θεῶν ὀνόματι ποιεῖν ζητήσουσι[h], πῶς οὐκ ἀσεβέστατον ἔργον καὶ δεινότατον πράξουσι[i]; χρὴ γάρ, ὡς γοῦν ἐμοὶ δοκεῖ, ὅσα τις πράττει τοὺς θεοὺς ἐπιφημίζων, τοιαῦτα φαίνεσθαι, οἷα μηδ' ἂν ἐπ' ἀνθρώπου πραχθέντα[j] πονηρὰ φανείη. ὅτι δ' οὐκ ἔστι ταὔθ'[k] ἱερῶν ἀτέλειαν ἔχειν καὶ λῃτουργιῶν, ἀλλ'
127 οὗτοι τὸ τῶν λῃτουργιῶν ὄνομα[l] ἐπὶ τὸ τῶν ἱερῶν μεταφέροντες ἐξαπατᾶν ζητοῦσι, Λεπτίνην ὑμῖν αὐτὸν ἐγὼ παρασχήσομαι

[c] τοῦ S O Y P: τοῦ μὴ L (B 1824). [d] ἐροῦσι γὰρ ὅτι quattuor brevibus una positis A et correctus S, vulgo ἔρουσιν ὅτι (omisso γὰρ) L O Y X. ἐροῦσ' ὅτι Bl. [e] αἱ χορηγίαι καὶ αἱ γυμνασιαρχίαι (γυμνασίαι S et L^1) seclusit F. A. Wolf (D W Wr). [f] τις ἀτελὴς Y O P. In utraque lectione tres breves una occurrunt, itaque τις ἀφείσεται conicit Bl. [g] κατὰ propter quattuor breves seclusit Weil, collato § 93 ubi ante ὃν τρόπον in F καθ' additum (Bl). [h] ζητήσουσιν codd. (V W Wr). [i] πράξουσιν codd. (Z B V W Wr). [j] secl. Blass, collato Aristid. ii 506 ἃ γὰρ ἂν αἰσχρὰ φαίης ἐπ' ἀνθρώπων εἶναι, ταῦτ' οὐκ ἂν ἔχοις εἰπεῖν μὴ οὐ πολὺ τοῦ γε θεοῖς πρέπειν ἀπέχειν. [k] ταὔθ' Bl. ταὐτὸν vulg. ταὐτὸ O P^1 X. [l] ὄνομα propter breves syllabas seclusit Bl, coll. 120 τὸ τῆς εἰκόνος et Or. 21 § 34.

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admitted that οὐδὲ περὶ is found twice in the first clause; but it is uncertain whether the speech in question, the *Eubulides*, was really written by Demosthenes.

§ 125. **κακουργότατον**, 113. 'The orator represents his opponents as thinking aloud, and puts into their own mouths the avowal of their knavery' (Weil).

ὑμᾶς ἀφελέσθαι πεῖσαι] ὑμᾶς is the object of πεῖσαι, not of ἀφελέσθαι. The order is possibly due to a desire of avoiding *hiatus*.

ταῦθ' inserted between ὅτι and ἱερῶν (instead of after ἅπαντα) prevents *hiatus*.

ἱερῶν] 'all these expenses belong to religious rites'.

The office of χορηγὸς had a semi-religious sanctity attaching to it, in so far as it was connected with the Dionysian festivals. Demosthenes himself in this in the *Meidias*, §§ 51—55.

here shews (in § 126) that ἱερὰ in their strictest sense are not included in the ἀτέλεια.

ἱερῶν ἀτελής. *Introd.* § 3.

τούτων, not τῶν ἱερῶν but τῶν ἀναλωμάτων (Wolf, Weil, Rosenberg).

δεινὸν emphatically repeating δεινὸν at the beginning of the sentence.

§ 126. **ὑμᾶς**, the subject of ἀφελέσθαι.

ἐπὶ τῷ τῶν θεῶν ὀνόματι, expressed below by τοὺς θεοὺς ἐπιφημίζων. **ποιεῖν** = not ἀφελέσθαι alone, but δεῖξαι δίκαιον ὑμᾶς ἀφελέσθαι (G. H. Schaefer).

τοὺς θεοὺς ἐπι[illegible] 'praeferens honestum et sp[illegible]orum nomen' (Reiske), 'for w[illegible] are appealed to' (Kennedy[illegible]φαίνεσθαι..., 'should shew[illegible] be, should be proved to[illegible] character', **ἐπ' ἀνθρώπου**, [illegible] sanction', 'on human aut[illegible]4 ἐπ' Ἀντιαλκίδου, 'negoci[illegible]

μάρτυρα. γράφων γὰρ ἀρχὴν τοῦ νόμου[m] *"Λεπτίνης εἶπε*[n]*" φησίν, "ὅπως ἂν οἱ πλουσιώτατοι λῃτουργῶσιν, ἀτελῆ μηδέν' εἶναι πλὴν "τῶν ἀφ' Ἁρμοδίου καὶ Ἀριστογείτονος". καίτοι εἰ ἦν ἱερῶν ἀτέλειαν ἔχειν ταὐτὸ καὶ λῃτουργιῶν, τί τοῦτο μαθὼν*[o] *προσέγραψεν; οὐδὲ γὰρ τούτοις ἀτέλεια τῶν γ' ἱερῶν ἐστιν δεδομένη. ἵνα δ' εἰδῆθ' ὅτι ταῦτα τοῦτον ἔχει τὸν τρόπον, λαβέ μοι πρῶτον μὲν τῆς στήλης τἀντίγραφα, εἶτα τὴν ἀρχὴν τοῦ νόμου τοῦ Λεπτίνου. λέγε.*

ΑΝΤΙΓΡΑΦΑ ΣΤΗΛΗΣ.

Ἀκούετε τῶν ἀντιγράφων τῆς στήλης, ὦ ἄνδρες Ἀθηναῖοι, 128
ἀτελεῖς αὐτοὺς εἶναι κελευόντων πλὴν ἱερῶν. λέγε δὴ τὴν ἀρχὴν
τοῦ νόμου τοῦ Λεπτίνου.

ΝΟΜΟΣ.

496 *Καλῶς. κατάθες. γράψας "ὅπως ἂν οἱ πλουσιώτατοι λῃ-*
"τουργῶσι", "μηδέν' εἶναι" προσέγραψ' "ἀτελῆ[p] *πλὴν τῶν ἀφ'*
"Ἁρμοδίου καὶ Ἀριστογείτονος". τίνος εἵνεκ', εἴ γε τὸ τῶν ἱερῶν
τέλος ἐστὶ λῃτουργεῖν[q]*; αὐτὸς γὰρ οὑτωσὶ ταναντία τῇ στήλῃ*
γεγραφώς, ἂν τοῦτο λέγῃ, φανήσεται. ἡδέως δ' ἂν ἔγωγ' ἐροίμην 129
Λεπτίνην· τίνος αὐτοῖς τὴν ἀτέλειαν ἡ σὺ νῦν καταλείπειν φήσεις[r]
ἢ κείνους[s] *τότε δοῦναι, τὰς λῃτουργίας ὅταν εἶναι φῇς ἱερῶν; τῶν*

[m] [*ἀρχὴν τοῦ νόμου*] 'Qu. scholion?' Dobree. [n] *εἶπεν* codd. (V W Wr).
[o] *μαθὼν* codd. (B V W Wr Bl): *παθὼν* Lambini margo, Markland (Z D). 'Satis apud me constat in tali re *τί μαθών* esse mendosum ac vitio natum, quum constanter Athenienses *τί παθών* dicere solerent....Reponendum *τί παθὼν τοῦτο προσέγραψεν*;' Cobet.
[p] *προσέγραψ' ἀτελῆ* (Bl); *προσέγραψεν ἀτελῆ* S L O Y (D); *προσέγραψε* (sic) *ἀτελῆ* (Wr): *ἀτελῆ, πρ.* (Z B V W). [q] '*εἴγε τῶν ἱερῶν τέλος ἐστὶ τὸ* λ. postulat argumentum et mos Graece scribendi' Markland. *εἴγε—λειτουργεῖν* 'cum Marklando corrupta credo. Vide an *εἴγε ἱερῶν τὸ τέλος ἔστιν*; *ἱερῶν* sine artic. p. 495, 1, 12, 19; 496, 13' (Dobree). [r] *φήσεις* codd.: *φῇς* de suo scripsit Bl, 'minime aptum futurum in interrogatione directa' censens; sed futurum verba Leptinis futura in oratione respondentis indicat. [s] *ἐκείνους* (Z B D W); '*κείνους* (Wr); *κείνους* (V Bl).

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§ 127. **γράφων—ἀρχὴν τοῦ νόμου**, 'in drafting the first clause of his law'.

τοῦτο is for the sake of emphasis separated from *προσέγραψεν* by *μαθών*. **τί μαθὼν**, 'what induced him to', 'what was his motive', implying a reason appealing to the judgment or understanding. *τί παθών* would have meant, 'what possessed him to', 'what impelled him', implying something more like helplessness under external influence.

τῆς στήλης τἀντίγραφα] 'copies of (the inscription on) the tablet', recording the honours decreed to the descendants of Harmodius and Aristogeiton. On *στήλη*, cf. § 36.

§ 128. **εἴ γε—λῃτουργεῖν**] i.e. 'if the payment for religious rites is identical with bearing the public burdens'.

τῇ στήλῃ=as above, (the inscription on) the tablet.

§ 129. **ἐροίμην Λεπτίνην...φήσεις**] a rapid transition from indirect to direct address. We have the converse in 144.

κείνους, *τοὺς προγόνους*.

ὅταν. Cf. the position of *εἰ* in §§ 23, 25, and of *ἐὰν* in §§ 43, 46.

μὲν γὰρ εἰς τὸν πόλεμον πασῶν εἰσφορῶν καὶ τριηραρχιῶν[t] ἐκ τῶν παλαιῶν νόμων οὐκ εἰσ' ἀτελεῖς· τῶν δὲ λητουργιῶν, εἴπερ εἰσ'
130 ἱερῶν, οὐδ' ἔχουσιν[u]. ἀλλὰ μὴν γέγραπταί γ' ἀτελεῖς αὐτοὺς εἶναι. τίνος; ἢ[v] τοῦ μετοικίου; τοῦτο γὰρ λοιπόν. οὐ δήπου, ἀλλὰ τῶν ἐγκυκλίων λητουργιῶν, ὡς ἥ τε στήλη δηλοῖ, καὶ σὺ προσδιώρισας ἐν τῷ νόμῳ, καὶ μαρτυρεῖ πᾶς ὁ πρὸ τοῦ χρόνος γεγονώς, ἐν ᾧ τοσούτῳ τὸ πλῆθος ὄντι, οὔτε φυλὴ πώποτ' ἐνεγκεῖν ἐτόλμησ' οὐδεμί' οὐδένα τῶν ἀπ' ἐκείνων χορηγόν, οὔτ' ἐνεχθεὶς αὐτοῖς ἄλλος οὐδεὶς ἀντιδοῦναι. οἷς οὐκ ἀκουστέον ἂν ἐναντία τολμᾷ λέγειν.

131 Ἔτι τοίνυν ἴσως ἐπισύροντες ἐροῦσιν, ὡς Μεγαρεῖς καὶ Μεσ-

[t] πασῶν εἰσφορῶν καὶ τ. secl. Cobet. [u] οὐδ' ἀρχὴν coniecit Weil; οὐδὲ τούτων ἔχουσιν Sauppe, οὐδ' εἰπεῖν ἔχουσιν Hirschig, *Philol.* v 333. [v] ἢ Dobree.

οὐδ' ἔχουσιν, sc. *ἀτέλειαν*, understood from *εἰσ' ἀτελεῖς*, as in § 8 (West.). Dindorf, less satisfactorily, understands *ἀτελεῖς εἶναι*. Other critics alter the text.

§ 130. **γέγραπται**] *ἐν τῇ στήλῃ*. **ἤ**, 'or is it'; like *an*, interrogatively introducing a fresh alternative.

μετοικίου] Every other alternative being exhausted, the orator raises a laugh by asking whether it is the tax imposed on resident aliens from which citizens descended from the tyrannicides are exempt. Harpocration: *ἐδίδοντο ὑπ' αὐτῶν (τῶν μετοίκων) καθ' ἕκαστον ἔτος δραχμαὶ ιβ', ὅπερ ὠνόμαστο μετοίκιον*. Boeckh's *P. E.* III vii.

ἐγκυκλίων] *periodical*, i.e. 'annual or ordinary' public burdens; *munera solennia, stata, ordinaria;* including *χορηγία, γυμνασιαρχία* and *ἑστίασις*.

προσδιώρισας] It has hence been inferred that the words *τῶν ἐγκυκλίων λητουργιῶν* formed part of the law of Leptines, and that, as they did not occur in the clause quoted in § 29, they were part of the next clause: *μηδὲ τὸ λοιπὸν ἐξεῖναι τῷ δήμῳ τῶν ἐγκυκλίων λητουργιῶν ἀτέλειαν δοῦναι μηδενί* (A. Schaefer, *Dem.* i 354[1], 392[2]). But it would be a singular piece of drafting to insert the words *τῶν ἐγκ. λητ.* in the later clause and to leave them to be understood in the earlier, when exactly the reverse would be the ordinary form of expression. And, further, there is nothing to shew that it is the clause just quoted which is here referred to. It has been suggested with greater probability, that the clause *πλὴν—Ἀριστογείτονος* *indirectly* implied that it was exemption from the *ἐγκύκλιοι λητουργίαι* which was meant by Leptines (Benseler, p. 154; cf. Sauppe in *Philologus* 25, 267 f). It seems more simple, however, to suppose (with Weil) that the orator alludes to the words *ὅπως οἱ πλουσιώτατοι λητουργῶσιν* in § 128. These words 'can only refer to the ordinary liturgies; since the extraordinary liturgies are out of the question, as we have just seen in § 129'. Sauppe observes that *προσδιορίζειν* is not found elsewhere in Attic Greek (as the authority of the best MS excludes it from Or. 19 § 235). In opposition to the view of Wolf and Voemel that *πρὸς* here means *insuper, ita ut auctoritas Leptinis testimonio columnae accedere videatur*, he points out that it implies the addition of the special exception *πλὴν τῶν κ.τ.λ.* to the general clause *μηδέν' εἶναι ἀτελῆ*.

πλῆθος] *χρόνου πλῆθος* (Thuc. i 1 § 2; Plat. *Theaet.* 158 D) is used as well as *χρόνου μῆκος*, corresponding respectively to *πολὺς χρόνος* and *μακρὸς χρόνος* (Weil).

ἐνεγκεῖν...χορηγόν] Each of the tribes in turn nominated a choregus out of its own body. 39 § 7 *οἱ σουσιν οἱ φυλέται τὸν αὐτὸν τρόπον ὅνπερ τοὺς ἄλλους· οὐκοῦν Μαντίθεον Μαντίου Θορίκιον οἱ σουσί με, ἂν χορηγὸν ἢ γυμνασίαρχον ἢ ἑστιάτορα ἢ ἐάν τι τῶν ἄλλων φέρωσιν*. **ἐκείνων**, the tyrannicides. **ἀντιδοῦναι**, 40.

§ 131. **ἐπισύροντες**] *leviter* (Voemel), 'in their off-hand way' (Kennedy). The word is originally applied to a trailing robe, or a dress draggling in the dirt, and is metaphorically used of a careless and slovenly way of talking. It thus resembles our metaphorical use of the word 'slip-shod'. Lysias, 26 § 3 *ἐπι-*

σήνιοί τινες εἶναι[w] *φάσκοντες, ἔπειτ' ἀτελεῖς εἰσιν ἀθρόοι παμπληθεῖς*[x] *ἄνθρωποι, καί τινες ἄλλοι*[y] *δοῦλοι καὶ μαστιγίαι, Λυκίδας καὶ Διονύσιος*[z]*, καὶ τοιούτους τινὰς ἐξειλεγμένοι. ὑπὲρ δὴ τούτων ὠδὶ ποιήσαθ', ὅταν ταῦτα λέγωσι*[a]*· κελεύετ', εἴπερ ἀληθῆ λέγουσι*
497 *πρὸς ὑμᾶς, τὰ ψηφίσματ' ἐν οἷς ἀτελεῖς εἰσιν οὗτοι δεῖξαι. οὐ γάρ ἐστ' οὐδεὶς ἀτελὴς παρ' ὑμῖν, ὅτῳ μὴ ψήφισμ' ἢ νόμος δέδωκε τὴν ἀτέλειαν. πρόξενοι μέντοι πολλοὶ διὰ τῶν πολιτευομένων* 132

[w] εἶναι πρόξενοι coniecit Weil, in textum recepit Wr. [x] ἀθρόοι, παμπληθεῖς (ἀθ. Z, B D Bl): sine interpunctione (V W Wr). [y] ἄλλοι delere vult Bl.
[z] Διονυσίους coniecit Reiske (W). 'Non opus Reiskii emendatione. Subito detorquet orationem, ubi expectasses tertium nomen' Dobree, coll. § 157 *καί, τὸ λοιπὸν ἐῶ. δοῦλοι καὶ μαστιγίαι* (Λυκίδας κ. Διονύσιος κ. τοιοῦτοί τινες) ἐξελελεγμένοι, verberones convicti. Markland. [a] ὅταν ταῦτα λέγωσι cum sequentibus coniunxerunt D V, cum antecedentibus Z B W Wr Bl. λέγωσιν Z V W Wr.

σύροντα τὰ πράγματα καὶ διακλέπτοντα τῇ ἀπολογίᾳ τὴν κατηγορίαν. Lucian, *Vera Historia*, ii 46 *νεανίδες ποδήρεις τοὺς χιτῶνας ἐπισυρόμεναι.*

Μεγαρεῖς—φάσκοντες] If we are to render this 'making themselves out to be Megarians and Messenians', we must shew that Megarians and Messenians, as such, were entitled to *ἀτέλεια* at Athens. The Megarians fought on the same side as Athens against the Persians; and the Messenians, when banished from Messenia by the Lacedaemonians, were settled by the Athenians at Naupactus, from which they were subsequently expelled after the battle of Aegospotami (Pausanias x 38 § 5). It is just possible that, on their being expelled by the Lacedaemonians, some of them were received at Athens and granted certain privileges; but of this we find no record. The Megarians were generally at enmity with the Athenians; their exclusion from the Athenian markets was one of the causes of the Peloponnesian War; and during that war the Athenians invaded their territory twice a year. (It is however suggested by Whiston that 'when the Thirty had put Theramenes to death, many of the constitutional party took refuge in Megara, Xen. *Hell.* ii 4 § 1. Hence perhaps the Megarians were popular in Athens'.)

To remove the above difficulties, it has been proposed either to insert *ἀτελεῖς* before *εἶναι φάσκοντες*, or to understand it from the subsequent clause: 'by making out (they are exempt), are accordingly actually exempt' (G. H. Schaefer, West.). Weil considers this unsatisfactory both in sense and in expression; and therefore proposes to insert *πρόξενοι* after *εἶναι*, which is consistent with the first part of § 132. I should prefer *προξενεῖν φάσκοντες*. Demosthenes uses the verb in 15 § 15; 18 § 82; and elsewhere.—**τινὲς εἶναι φάσκοντες** was taken separately by Markland in the sense, *qui se dicunt esse aliquo in numero.*

ἀθρόοι παμπληθεῖς, to be taken together, as in 21 § 131 *πολλοὺς ἀθρόους*, and 135 *τοσούτων ἀνθρώπων ἀθρόων*, Plat. *Gorg.* 490 B *πολλοὶ ἀθρόοι ἄνθρωποι* (West.).

μαστιγίαι] *verberones*, 'stigmatics' (Kennedy); 'knaves'.

Λυκίδας] formerly a slave of Chabrias who was set free and made a *πρόξενος* (133). Of *Διονύσιος* nothing is known.

ἐξειλεγμένοι, middle, agreeing with the subject of the principal verb *ἐροῦσιν*. It is passive in 23 § 88.

ἐν οἷς—εἰσίν] 'in which they are (stated to be) exempt'.

ἢ νόμος] e.g. the nine archons exempted by the *law* quoted in § 27; and similarly with 'orphans' (Or. 27—29).

§ 132. **πρόξενοι]** See note on *προξενία*, § 60.

διὰ τῶν πολιτευομένων] Thus in Lysias 13 § 72 Agoratus and others get their names inscribed as 'benefactors', *δόντες ἀργύριον τῷ ῥήτορι*. Demosthenes himself, at a later time, was taunted with proposing certain persons as *πρόξενοι*, for a pecuniary consideration: Dinarchus 1 § 45 *ὅσους οὗτος γέγραφε προξένους εἶναι καὶ Ἀθηναίους* (cf. Aesch. 3 § 85, and Hyper. I xxi 15, and fragm. 79 Blass). The grant of citizenship is made to certain *πρόξενοι* by a special decree in CIA ii 187; Hyperides, fragm. 80 Blass, says of Alcimachus and Antipater *Ἀθηναίους καὶ*

κατὰ τὸν[q] λογισμὸν ἐκεῖνα φανείη βελτίω, τῆς γε τύχης εἵνεκα[r], ἢ
111 παρὰ ταῦτ' ἀγαθῇ κέχρησθ', ἐπὶ τούτων ἄξιον μεῖναι. εἰ δὲ δεῖ παρὰ πάντα ταῦτ' εἰπεῖν ὃ δίκαιον ἡγοῦμαι, ἐκεῖν' ἂν ἔγωγ' εἵποιμι. οὐκ ἔστι δίκαιον, ὦ ἄνδρες Ἀθηναῖοι, τοὺς Λακεδαιμονίων νόμους οὐδὲ τοὺς Θηβαίων λέγειν ἐπὶ τῷ τοὺς ἐνθάδε λυμαίνεσθαι, οὐδὲ δι' ὧν μὲν ἐκεῖνοι μεγάλοι [τῆς ὀλιγαρχίας καὶ δεσποτείας εἰσί][s], κἂν ἀποκτεῖναι βούλεσθαι τὸν παρ' ἡμῖν τούτων τι κατασκευάσαντα, διὰ δ' ὧν ὁ παρ' ἡμῖν δῆμος εὐδαίμων, ταῦθ' ὡς ἀνελεῖν δεῖ λεγόντων τινῶν ἐθέλειν ἀκούειν.

112 Ἔστιν τοίνυν τις πρόχειρος λόγος, ὡς ἄρα καὶ παρ' ἡμῖν ἐπὶ 491
τῶν προγόνων πόλλ' ἀγάθ' εἰργασμένοι τινὲς οὐδενὸς ἠξιοῦντο τοιούτου, ἀλλ' ἀγαπητῶς ἐπιγράμματος ἐν τοῖς Ἑρμαῖς ἔτυχον[t].

[q] 'sine articulo dicebant κατὰ λογισμόν et ἐκ λογισμοῦ ut frag. 780, 2 τὴν ἐκ λογισμοῦ σωτηρίαν, et aliis locis' Cobet. Sed articulo omisso tres breves sine causa concurrunt. [r] εἵνεκα Bl : ἕνεκα codd. [s] τῆς ὀλιγαρχίας καὶ δεσποτείας (δεσποτίας S^1 et L) codices omnes: delere voluerunt Lambinus, F. A. Wolf, G. H. Schaefer (Z B D); etiam εἰσὶ propter hiatum (μεγάλοι εἰσί) seclusit Westermann (W). ἐκείνοις μεγάλα τὰ τῆς ὀλιγαρχίας καὶ δεσποτείας ἐστί conicit W;. verba retinet Bl, addito μετὰ post μεγάλοι et collato 109 μετὰ τῶν νόμων. 'Opponitur ὁ παρ' ἡμῖν δῆμος. Schol. p. 507, 4 δι' ὧν ἐκεῖνοι τὴν ὀλιγαρχίαν συνέχουσιν' (Bl).
[t] ἔτυχον S vulg. (edd.): ἐτύγχανον L F al.

τῆς γε τύχης εἵνεκα] Lysias 30 § 18 ἄξιον ἡμῖν τὰς αὐτὰς ἐκείνοις (your ancestors) θυσίας ποιεῖσθαι καὶ εἰ μηδὲν δι' ἄλλο, τῆς τύχης ἕνεκα τῆς ἐξ ἐκείνων τῶν ἱερῶν γεγενημένης, where the present passage had led some editors to prefer τῆς γε τύχης.

παρὰ ταῦτ'] *during* the existence of these institutions; 41, 46, 55, 86, 159.

§ 111. **παρὰ πάντα ταῦτ'**] 'beside', as in 160, and 8 § 76.

οὐδὲ (δίκαιόν ἐστι) βούλεσθαι μὲν κἂν ἀποκτεῖναι τὸν παρ' ἡμῖν κατασκευάσαντά τι τούτων, δι' ὧν ἐκεῖνοι μεγάλοι εἰσίν, ἐθέλειν δ' ἀκούειν τινῶν λεγόντων ὡς ἀνελεῖν δεῖ ταῦτα δι' ὧν ὁ παρ' ἡμῖν δῆμος εὐδαίμων. 'It is not just that you should be ready to kill [or 'be desirous of killing'] a man who established among us any of the usages which make them great; and yet that you should [be willing to] give ear to persons advising the destruction of a system by which our democracy prospers' (Kennedy).

δι' ὧν μὲν...διὰ δ' ὧν] 18 § 250 ἐν μὲν οἷς...ἐν οἷς δέ.

βούλεσθαι—ἐθέλειν] In Attic Greek βούλεσθαι implies a *positive wish; ἐθέλειν the mere negative idea of willingness—having no objection* (Shilleto on *F. L.* p. 348 § 26 οὔτ' ἀκούειν ἠθέλετε οὔτε πιστεύειν ἐβούλεσθε. Cf. 1 § 1 προσήκει προθύμως ἐθέλειν ἀκούειν τῶν βουλομένων συμβουλεύειν.

κατασκευάσαντα] here, as often, used in a bad sense, of *contriving* or *plotting*.

§ 112. Another argument on the opposite side is here anticipated.

τοιούτου] such as the ἀτέλεια. **ἀγαπητῶς ἔτυχον**, 'were content with obtaining'.

ἐν τοῖς Ἑρμαῖς] a portico adorned with Hermes-busts, in the market place. Harpocr. quotes Menekles or Kallikrates ἐν τῷ περὶ Ἀθηνῶν as follows: ἀπὸ γάρ τῆς Ποικίλης καὶ τῆς τοῦ βασιλέως στοᾶς εἰσὶν οἱ Ἑρμαῖ καλούμενοι. See Milchhöfer's article on Athens in Baumeister's *Denkmäler*, i 166.

Aesch. 3 § 183 (of those who fought in Kimon's victory over the Medes, on the Strymon) οὗτοι δεῦρο ἀφικόμενοι τὸν δῆμον ᾔτησαν δωρειάν, καὶ ἔδωκεν αὐτοῖς ὁ δῆμος τιμὰς μεγάλας, ὡς τότ' ἐδόκει, τρεῖς λιθίνους Ἑρμᾶς στῆσαι ἐν τῇ στοᾷ τῇ τῶν Ἑρμῶν, ἐφ' ᾧτε μὴ ἐπιγράφειν τὰ ὀνόματα τὰ ἑαυτῶν.

καὶ ἴσως τοῦθ' ὑμῖν ἀναγνώσεται τὸ ἐπίγραμμα[u]. ἐγὼ δ' ἡγοῦμαι τοῦτον τὸν λόγον, ὦ ἄνδρες Ἀθηναῖοι, κατὰ πόλλ' ἀσύμφορον εἶναι 113
τῇ πόλει λέγεσθαι, πρὸς δὲ καὶ οὐδὲ[v] δίκαιον. εἰ μὲν γὰρ ἀναξίους εἶναί τις φήσει κἀκείνους τιμᾶσθαι, τίς ἄξιος, εἰπάτω, εἰ μήτε τῶν προτέρων μηδεὶς μήτε τῶν ὑστέρων[w]· εἰ δὲ μηδένα φήσει, συναχθεσθείην ἂν ἔγωγε τῇ πόλει, εἰ μηδεὶς ἐν ἅπαντι τῷ χρόνῳ γέγον'[x] ἄξιος εὖ παθεῖν. καὶ μὴν εἴ γ' ὁμολογῶν ἐκείνους εἶναι σπουδαίους μὴ τετυχηκότας δείξει μηδενός, τῆς πόλεως ὡς ἀχαρίστου δήπου κατηγορεῖ. ἔστι δ' οὐχ οὕτω ταῦτ' ἔχοντα, οὐδ' ὀλίγου δεῖ[y], ἀλλ' ἐπειδάν τις οἶμαι κακουργῶν ἐπὶ μὴ προσήκοντα πράγματα τοὺς λόγους μεταφέρῃ, δυσχερεῖς ἀνάγκη φαίνεσθαι. ὡς δὲ τἀληθές τ' 114
ἔχει καὶ δίκαιόν ἐστι λέγειν, ἐγὼ πρὸς ὑμᾶς ἐρῶ. ἦσαν, ὦ ἄνδρες Ἀθηναῖοι, πολλοὶ τῶν πρότερον σπουδαῖοι, καὶ ἡ πόλις ἡμῶν ἐτίμα καὶ τότε τοὺς ἀγαθούς· αἱ μέντοι τιμαὶ καὶ τἄλλα[z] πάντα τὰ μὲν τότ' ἦν ἐπὶ τοῖς τότ' ἔθεσιν[a], τὰ δὲ νῦν ἐπὶ τοῖς νῦν. πρὸς οὖν τί

[u] τοὐπ. (W Wr). τοιοῦθ' ὑμῖν...τι (sic) ἐπίγραμμα F. A. Wolf; ταῦθ'...τἀπιγράμματα Dobree. 'Postulat rei natura pluralem numerum... Vulgatam si retinebimus videbitur ἐν τοῖς Ἑρμαῖς unum atque idem epigramma pluribus commune inscriptum fuisse, quod verum non esse constat. Nempe quod Demosthenes Leptinem facturum esse suspicatur Aeschines in Ctesiphontea fecit, qui tria epigrammata ἐν τοῖς Ἑρμαῖς incisa iudicibus recitavit' Cobet. [v] οὐδὲ S L: οὐ vulg. (B 1824). [w] προτέρων... ὑστέρων S O A: πρότερον...ὕστερον L vulg. (B W). εἰ μήτε—ὑστέρων del. Markland, Dobree, Cobet; sed verba ista oratoris sensum plenius et accuratius exprimere et sententiae ipsius concinnitati inservire recte ostendit Weil. [x] γέγονεν vulgo.
[y] δεῖ H. Wolf (D W Wr): δεῖν codd. (Z B V Bl), post δεῖν plenius interpunxerunt Z B V, commatis tantum signum posuit Bl, cui οὐδ' ὀλίγου δεῖν cum eis quae sequuntur coniungenda esse videntur. [z] τἄλλα secl. Bl, coll. schol. p. 508, 14, ἵνα μὴ ἡμεῖφθαι τῷ χρόνῳ μόνη ἡ τιμὴ δόξῃ, ἀλλὰ καὶ πάντα τὰ πράγματα. [a] ἔθεσιν codd. (V Wr Bl): ἔθεσι.

τὸ ἐπίγραμμα] the inscription quoted by Aeschines in the above passage, and by Plut. *Kimon* 7. The inscr. consisted of three separate sets of verses distributed over three Ἑρμαῖ. **πρὸς**, adverbial.

§ 113. **εἰ μὲν**] The true antithesis to this is not to be found in the clause beginning *εἰ δὲ*, which represents an inference from it, but in the *next* sentence beginning *καὶ μήν*.

τῶν προτέρων μηδεὶς] if the victors on the Strymon are unworthy of honour; **τῶν ὑστέρων**, if the view of Leptines is to be accepted.

συναχθεσθείην] 'should feel deeply for'. **οὐδ' ὀλίγου δεῖ**, 19 § 184; 24 § 195. If the manuscript reading δεῖν is retained, we must understand it as an adverbial use of a phrase containing a 'limiting infinitive', as in 9 § 1 πολλῶν λόγων γιγνομένων ὀλίγου δεῖν καθ' ἑκάστην ἐκκλησίαν, and 18 § 20 πρὸς τὸ λαβεῖν ὀλίγου δεῖν ὑμᾶς ἐκόντας ἐξαπατωμένους. These are the only passages in which ὀλίγου δεῖν is certainly right in Dem. In 27 §§ 24, 29 the best MS has δεῖ. μικροῦ δεῖν occurs in 18 § 269, 553 and πολλοῦ δεῖν 23 § 7. ὀλίγου δεῖν is found in Isocr. 5 § 51, 6 § 65, 7 § 69, 15 § 159, and Aeschin. 3 § 165 (Grünenwald, *Infinitiv der Limitation*, 1888, p. 8).

κακουργῶν] using insidious, or sophistical, arguments; Plato *Rep.* 341 B πρὸς ταῦτα κακούργει καὶ συκοφάντει. 'The fact is, when a man *insidiously* misapplies his arguments, they cannot help having an awkward appearance'. **δυσχερεῖς**, Weil quotes the schol. δυσφήμους καὶ κακούς, and translates it *odieux*.

§ 114. **τὴν ἐπὶ τοῖς—ἔθεσιν**] *pendebant e moribus* (G. H. Schaefer); 'were under the influence of, in the spirit of'

τοῦτο λέγω; ὅτι φήσαιμ' ἂν ἔγωγ' ἐκείνους οὐκ ἔσθ' ὅτου παρὰ τῆς
115 πόλεως οὐ τυχεῖν ὧν ἐβουλήθησαν. τίνι χρώμενος τεκμηρίῳ; ὅτι Ἀυσιμάχῳ δωρειάν, ἑνὶ τῶν τότε χρησίμων, ἑκατὸν μὲν ἐν Εὐβοίᾳ πλέθρα γῆς πεφυτευμένης ἔδοσαν, ἑκατὸν δὲ ψιλῆς, ἔτι δ' ἀργυρίου μνᾶς ἑκατόν, καὶ τέτταρας τῆς ἡμέρας δραχμάς. καὶ τούτων[b] 492
ψήφισμ' ἔστ' Ἀλκιβιάδου, ἐν ᾧ ταῦτα γέγραπται. τότε μὲν γὰρ ἡ πόλις ἡμῶν καὶ γῆς ηὐπόρει[c] καὶ χρημάτων, νῦν δ' εὐπορήσει· δεῖ γὰρ οὕτω λέγειν καὶ μὴ βλασφημεῖν[d]. καίτοι τίν' οὐκ ἂν οἴεσθε νῦν τὸ τρίτον μέρος τούτων ἀντὶ τῆς ἀτελείας ἑλέσθαι; ὅτι τοίνυν[e] ἀληθῆ λέγω, λαβέ μοι τὸ ψήφισμα τουτί[f].

ΨΗΦΙΣΜΑ.

116 Ὅτι μὲν τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, καὶ τοῖς προγόνοις ὑμῶν ἔθος ἦν τοὺς χρηστοὺς τιμᾶν, δηλοῖ τὸ ψήφισμα τουτί· εἰ δὲ μὴ

[b] τούτῳ coniecit Tournier. [c] ηὐπόρει (D W Bl) : εὐπόρει codd. (Z B V Wr) εὐπόρει S, η super diphthongum mediam eadem manu scripto quod ἠπόρει indicare existimat Voemel. [d] δυσφημεῖν coniecit Hertlein (V, sed βλασφημεῖν revocavit in addendis p. 192). [e] ταῦτ' L vulg. (Z B). [f] +λέγε vulg. (D): om. S L A O Y.

(West.); 'were on the footing of, were consistent with'. **οὐκ ἔσθ' ὅτου...οὐ τυχεῖν ὧν**=ἁπάντων τυχεῖν ἄ. CIA ii 86, 9 οὐκ ἔστι ὅτι ἀτυχήσει παρὰ Ἀθηναίων ὧν ἂν δέηται. Soph. *Aj.* 725 οὔτις ἔσθ' ὅς οὔ.

§ 115. **Ἀυσιμάχῳ**] son of Aristeides (Harpocration s. v.). It was to his father's merits that he was indebted for this reward; he was himself a person of no special mark. Plato, *Meno* 94 A οὐκοῦν καὶ οὗτος (Aristeides) τὸν παῖδα τὸν αὑτοῦ Ἀυσίμαχον, ὅσα μὲν διδασκάλων εἶχετο, κάλλιστα Ἀθηναίων ἐπαίδευσεν· ἄνδρα δὲ δοκεῖ σοὶ ὁτουοῦν βελτίω πεποιηκέναι; He is one of the interlocutors in the *Laches*, 179 C. In the *Ancient Greek Inscr. in the British Museum*, I lxxxv, we have a sepulchral column bearing the name of Ἀριστείδης Ἀυσιμάχου Ἐστιαιόθεν (CIG 629). But (as observed by Mr Hicks) the late character of the letters makes it improbable that the Lysimachus of the inscription is the son of Aristeides the Just. It is possible, however, that he may be one of his descendants. Ἐστιαιόθεν is most naturally understood of the Attic deme of Ἑστιαία and not of the place of that name in Euboea.

Εὐβοίᾳ] then dependent on Athens.

πλέθρον] a hundred (Gk.) feet square; about 4½ πλέθρα make an acre; thus a πλέθρον is roughly equivalent to one *rood*.

πεφυτευμένης] woodland; ψιλῆς, arable land; cleared of trees, and therefore open to cultivation. Suidas art. πλέθρον contrasts πεφυτευμένη with ἀροσίμη (Weil).

The land assigned was part of that which had remained unallotted after the Periclean occupation of Euboea, in 446 B.C., Thuc. i 114; Plut. *Per.* 232 (West.).

τούτων, on these points, explained afterwards by ἐν ᾧ ταῦτα γέγραπται.

νῦν δ' εὐπορήσει] 'But now,—her prosperity is still in the future'. The state was poor at the time, § 24 χρήματ' οὐκ ἔχομεν. The orator prefers the language of euphemism to a brutal plainness of speech like that of Leptines. βλασφημία and εὐφημία are contrasted in 25 § 26.

οὐκ ἂν οἴεσθε...ἑλέσθαι] In construction ἄν is to be taken with ἑλέσθαι alone, though it is placed with the verb on which ἑλέσθαι depends. Goodwin, *M. and T.* § 42, 2 note=§ 220 ed. 1889.

ὅτι, '(to prove) that': '(as evidence) that'. 18 §§ 37, 115, 118, 135, 137; 21 §§ 82, 93, 107, 121, 174; 23 §§ 151, 159, 174; 54 §§ 29, 36; 57 §§ 27, 28, 43. Rehdantz on Lycurgus § 19 p. 129.

τοῖς αὐτοῖς οἵσπερ ἡμεῖς νῦν, ἕτερόν τι[g] τοῦτ' ἂν εἴη. εἰ τοίνυν μήτε Λυσίμαχον μήτ' ἄλλον μηδένα μηδὲν εὑρῆσθαι παρὰ τῶν προγόνων ἡμῶν συγχωρήσαιμεν, τί μᾶλλον οἷς ἔδομεν νῦν ἡμεῖς διὰ τοῦτο δικαίως ἂν ἀφαιρεθεῖεν; οὐ γὰρ οἱ μὴ δόντες ἃ μὴ 'δόκει[h] 117
δεινόν εἰσιν οὐδὲν εἰργασμένοι, ἀλλ' οἱ δόντες μέν, πάλιν δ' ὕστερον μηδὲν ἐγκαλοῦντες ἀφαιρούμενοι. εἰ μὲν γάρ τις ἔχει δεῖξαι κἀκείνους ὧν ἔδοσάν τῳ τι[i], τοῦτ'[k] ἀφῃρημένους, συγχωρῶ καὶ ὑμᾶς ταὐτὸ τοῦτο ποιῆσαι, καίτοι τό γ'[l] αἰσχρὸν ὁμοίως· εἰ δὲ μηδ' ἂν εἷς ἐν ἅπαντι τῷ χρόνῳ τοῦτ' ἔχοι δεῖξαι γεγονός, τίνος εἵνεκ'[m] ἐφ' ἡμῶν πρώτων καταδειχθῇ τοιοῦτ' ἔργον;

Χρὴ τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, κἀκεῖνο ἐνθυμεῖσθαι καὶ ὁρᾶν, 118
ὅτι νῦν ὀμωμοκότες κατὰ τοὺς νόμους δικάσειν ἥκετε, οὐχὶ τοὺς Λακεδαιμονίων οὐδὲ Θηβαίων, οὐδ' οἷς ποτ' ἐχρήσανθ' οἱ πρῶτοι τῶν προγόνων[n], ἀλλὰ καθ' οὓς ἔλαβον τὰς ἀτελείας οὓς ἀφαιρεῖται νῦν οὗτος τῷ νόμῳ, καὶ περὶ ὧν ἂν νόμοι μὴ ὦσι, γνώμῃ τῇ
493 δικαιοτάτῃ κρινεῖν. καλῶς[o]. τὸ τοίνυν τῆς γνώμης πρὸς ἅπαντ' ἀνενέγκατε τὸν νόμον. ἆρ' οὖν δίκαιον, ὦ ἄνδρες Ἀθηναῖοι, τοὺς εὐεργέτας τιμᾶν; δίκαιον. τί δ'[p]; ὅσ' ἂν δῷ τις ἅπαξ, δίκαιον 119

[g] ἕτερον τί S (ἕτερον τί τοῦτ' ἂν εἴη; Bake et v). [h] μὴ 'δόκει Weil (Bl): μὴ δοκεῖ. [i] post τι solus interpunxit v. [k] τοῦτον Bake et Madvig *Adv. Crit.* i 459.
[l] καίτοι τό γ' vulgo, correctus S (z B v Bl; καὶ τοιοῦτό γ' S[1]; καὶ τοιοῦτον L in margine; καίτοι τοῦτό γ' H. Wolf (D w Wr). καίτοι αἰσχρόν γ' ὁμοίως Dobree.
[m] εἵνεκ' codd.: ἕνεκ' D. [n] οἱ πρὸ τοῦ [τῶν προγόνων] Dobree. [o] καλῶς delet Hirschig, *Philol.* v 333. [p] τί δ'; (D Bl): τί δ' (z B v); τί δ', (w Wr); τί δαί, (B 1824).

§ 116. **ἕτερόν τι τοῦτ' ἂν εἴη**, 'that would be another question', 'that has nothing to do with the present business'.

τί μᾶλλον κ.τ.λ.] 'Is *that* any reason why...?'

νῦν, 'recently'. For this sense of **νῦν** 'just now', cf. Eur. *Iph. T.* 327.

§ 117. **οὐ γὰρ** κ.τ.λ.] cf. 56.

ὧν ἔδοσάν τῳ τι, τοῦτ'=*τι τῶν τινι δοθέντων, τοῦτ'*, cf. 120. *τι* is caught up by *τοῦτ'*, and is therefore, like it, the object of *ἀφῃρημένους*.

τό γ' αἰσχρὸν ὁμοίως] 'the disgrace is there, all the same'.

τίνος εἵνεκ'] Weber, *Aristocr.* p. 403 (quoted by Whiston) supposes that *εἵνεκα* is here preferred to *ἕνεκα*, because 'quinque brevium syllabarum continuatio non admodum iucunda est auribus, praecipue initio interrogationis ubi vocis impressio quaedam postulatur'. Blass has since drawn attention to the fact that Dem. so far as practicable avoids the concurrence of as many as *three* short syllables. § 82.

ἐφ' ἡμῶν, in our own time. **καταδειχθῇ**, of a precedent set, an example given.

§§ 118—9. A kind of peroration to §§ 105—111 and 112—117 (Weil).

§ 118. **ὀμωμοκότες—ἥκετε**] 'You, who are here present, have sworn to give judgment in accordance with the laws'. The court consists of a jury taken out of the general body of those who at the beginning of the year took the Heliastic oath (24 § 148). Here, as often, we have to shew in translation that the main emphasis is on the participle, and to render it accordingly by a principal verb, while we subordinate the sense of the verb.

οἱ πρῶτοι τῶν προγόνων, 'the earliest of our ancestors', i. e. not our immediate ancestors, but those of still earlier date; but the phrase is open to suspicion.

γνώμῃ τῇ δικαιοτάτῃ, 'according to the best of your judgment'. Ar. *Rhet.* i 15 § 5. **τὸ τῆς γνώμης**, a brief equivalent for *γνώμην τὴν δικαιοτάτην*.

ἔχειν ἐᾶν; δίκαιον. ταῦτα τοίνυν αὐτοί τε ποιεῖθ', ἵν' εὐορκῆτε, καὶ τοὺς προγόνους ὀργίζεσθ' ἐὰν μή τις φῇ ποιεῖν, καὶ τοὺς τὰ τοιαῦτα λέγοντας παραδείγματα, ὡς ἄρ' ἐκεῖνοι μεγάλ' εὖ παθόντες οὐδέν' ἐτίμησαν, καὶ πονηροὺς καὶ ἀπαιδεύτους ἡγεῖσθ' εἶναι, πονηροὺς μὲν διότι καταψεύδονται τῶν προγόνων ὑμῶν ὡς ἀχαρίστων, ἀμαθεῖς δὲ διότι ἐκεῖνο ἀγνοοῦσιν, ὅτι εἰ τὰ μάλιστα ταῦθ' οὕτως εἶχεν, ἀρνεῖσθαι μᾶλλον ἢ λέγειν αὐτοῖς προσῆκεν.

120 Οἶομαι[q] τοίνυν καὶ τοῦτον τὸν λόγον Λεπτίνην ἐρεῖν, ὡς τὰς εἰκόνας καὶ τὴν σίτησιν οὐκ ἀφαιρεῖται τῶν εἰληφότων ὁ νόμος, οὐδὲ τῆς πόλεως τὸ τιμᾶν τοὺς ὄντας ἀξίους, ἀλλ' ἔσται καὶ χαλκοῦς[r] ἱστάναι καὶ σίτησιν διδόναι καὶ ἄλλ' ὅ τι ἂν βούλησθε, πλὴν τούτου. ἐγὼ δ' ὑπὲρ ὧν μὲν τῇ πόλει καταλείπειν φήσει, τοσοῦτο λέγω· ὅταν[s] ὧν ἐδώκατέ τῳ πρότερόν τι, τοῦτ' ἀφέλησθε, καὶ τὰς ὑπολοίπους ἀπίστους ποιήσετε πάσας δωρειάς. τί γὰρ ἔσται πιστότερον τὸ τῆς εἰκόνος ἢ [τὸ][t] τῆς σιτήσεως ἢ τὸ τῆς
121 ἀτελείας, ἣν πρότερόν τισι δόντες ἀφῃρημένοι φανεῖσθε; ἔτι δ' εἰ μηδὲν ἔμελλε τοῦτ' ἔσεσθαι δυσχερές, οὐδ' ἐκεῖνο καλῶς ἔχειν ἡγοῦμαι, εἰς τοιαύτην ἄγειν ἀνάγκην τὴν πόλιν, δι' ἧς ἅπαντας ἐξ ἴσου τῶν αὐτῶν ἀξιώσει τοῖς τὰ μέγιστ' εὐεργετοῦσιν, ἢ μὴ τοῦτο ποιοῦσα χάριν τισὶν οὐκ ἀποδώσει. μεγάλων μὲν οὖν εὐεργεσιῶν οὔθ' ὑμῖν συμφέρει συμβαίνειν πολλάκις καιρόν, οὔτ' 494
122 ἴσως ῥᾴδιον αἰτίῳ γενέσθαι· μετρίων δὲ καὶ ὧν ἐν[u] εἰρήνῃ τις καὶ

[q] οἶομαι S L A (V W Bl): οἶμαι vulg. (Z B D Wr). [r] καὶ χαλκοῦς L F X (B 1824, Wr Bl): χαλκοῦς S. [s] ὅταν A (Z V W Wr Bl): ὅτ' ἂν S Y O P: ὅτι ἂν L X (B D). [t] τὸ om. A (D W Bl). [u] ὧν ἂν ἐν A s Vind 1 (Bl, ἂν pdst δύναιτ' propter tres breves deleto): ὧν ἐν—δύναιτ' ἂν ceteri.

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§ 119. **τοὺς προγόνους**, though the subject of *ποιεῖν*, is separated from it and placed in an emphatic position to contrast it with *αὐτοί* in the previous clause.

ἀμαθεῖς, synonymous with *ἀπαιδεύτους*.

εἰ τὸ μάλιστα..., 'even if it had been *ever so* true'.

§ 120. **τὰς εἰκόνας**, 70. **τὴν σίτησιν**, 107. **τούτου**, *τῆς ἀτελείας*. **χαλκοῦς ἱστάναι**, 13 § 21; 19 § 261 *Φίλιππον...χαλκοῦν ἱστᾶσι* and 330 *ἔστιν ὅντιν' ὑμεῖς τῶν πρεσβέων...χαλκοῦν στήσαιτ' ἂν ἐν ἀγορᾷ; τί δέ; δοίητ' ἂν ἐν πρυτανείῳ σίτησιν ἢ ἄλλην τινὰ δωρειάν, αἳ τιμᾶτε τοὺς εὐεργέτας;* **ὑπὲρ ὧν μὲν**, the corresponding clause is delayed until the beginning of § 123. The second of the two points suggested above is expanded first; and the first, second. **τῇ πόλει**, emphatic, contrasted with *τοῖς εὐρημένοις* in the parallel clause, § 123.

ὧν ἐδώκατέ τῳ...τι] 117. **τί**—'*In what respect* will the grant of the statue *or* that of the maintenance be any more trustworthy *than* that of the immunity?' The first *ἤ=vel*; the second, *quam* as in § 43.

§ 121. **ἅπαντας ἐξ ἴσου=ἅπαντας ὁμοίως**, 85.

τῶν αὐτῶν, constructed with *τοῖς—εὐεργετοῦσιν*.

ἢ μὴ—ἀποδώσει] an unobtrusive hexameter. The oratorical emphasis, on *μὴ* and *τισὶν* and *οὐκ*, would have prevented the accidentally metrical form being noticed. Cf. § 8.

μεγάλων, e.g. in war. **αἰτίῳ γενέσθαι**, 107.

πολιτείᾳ δύναιτ' ἂν ἐφικέσθαι, εὐνοίας, δικαιοσύνης, ἐπιμελείας, τῶν τοιούτων, καὶ συμφέρειν ἔμοιγε δοκεῖ καὶ χρῆναι διδόναι[v] τὰς τιμάς. δεῖ τοίνυν μεμερίσθαι καὶ[w] τὰ τῶν δωρειῶν, ἵν' ἧς ἂν ἄξιος ὢν ἕκαστος φαίνηται, ταύτην παρὰ τοῦ δήμου λαμβάνῃ τὴν δωρειάν. ἀλλὰ μὴν ὑπὲρ ὧν γε τοῖς εὑρημένοις τὰς τιμὰς κατα- 123
λείπειν φήσει, οἱ μὲν ἁπλᾶ πάνυ καὶ δίκαι' ἂν εἴποιεν, πάνθ' ὅσα τῶν αὐτῶν ἕνεκ'[x] αὐτοῖς ἔδοτ' εὐεργεσιῶν ἀξιοῦντες ἔχειν, οἱ δὲ φενακίζειν τὸν ὡς καταλείπεται[y] λέγοντά τι αὐτοῖς. ὁ γὰρ ἄξια τῆς ἀτελείας εὖ πεποιηκέναι δόξας καὶ ταύτην παρ' ὑμῶν λαβὼν τὴν τιμὴν μόνην, ἢ ξένος ἢ καί τις πολίτης, ἐπειδὰν ἀφαιρεθῇ ταύτην, τίν' ἔχει λοιπὴν δωρειάν, Λεπτίνη; οὐδεμίαν δήπου[z]. μὴ τοίνυν διὰ μὲν τοῦ τῶνδε κατηγορεῖν ὡς φαύλων ἐκείνους ἀφαιροῦ, δι' ἃ δ' αὖ καταλείπειν ἐκείνοις φήσεις, τούσδ' ὃ μόνον λαβόντες
ἔχουσι, τοῦτ' ἀφέλῃ. ὡς δ' ἁπλῶς εἰπεῖν, οὐκ εἰ τῶν πάντων 124
ἀδικήσομέν τιν' ἢ[a] μεῖζον' ἢ ἐλάττονα, δεινόν ἐστιν, ἀλλ' εἰ τὰς τιμάς, αἷς ἂν ἀντ' εὖ ποιήσωμέν[b] τινας, ἀπίστους καταστήσομεν· οὐδ' ὁ πλεῖστος ἔμοιγε λόγος περὶ τῆς ἀτελείας ἐστίν, ἀλλ' ὑπὲρ

[v] διδόναι ἀεὶ hiatu admisso Hirschig, *Philol.* v 333, 'deest enim particula quae respondeat τῷ πολλάκις'. [w] καὶ delet Bl, collato scholio 511, 26 δεῖ τοίνυν μεμερίσθαι τὰ τῶν τιμῶν. 'Num τιμῶν recipiendum? Ita τὴν δωρεάν, quod delet Cobetus, offensione carebit' Blass. [x] ἕνεκ' codd.: εἵνεκ' (Wr). [y] καταλείπεται S A: καταλείπεσθαι L F O Y X (Bl omisso ὡς cum X). [z] δήπου L vulg. (B 1824, D V W Wr): om. Z Bl; 'fortasse casu propter μηποι omisit textus S, in margine habens a recentiore' Voemel. [a] ἢ add. A (D et Bl qui confert Aristid. i 561, ii 607): om. S, vulgo. [b] ἀντ' εὖ π. (D Bl): ἀντευποιήσωμέν (Z B V W Wr).

§ 122. **εὐνοίας, δικαιοσύνης, ἐπιμελείας**] 'loyalty, integrity, diligence' (Kennedy), or rather 'faithfulness to one's trust'. These with *ἀρετή, καλοκαγαθία* and *ἀνδραγαθία* are the usual grounds for granting *tituli honorarii* (Westermann). e.g. *Androt.* 72 *ἀνδραγαθίας ἕνεκα καὶ δικαιοσύνης*, CIA ii 1 *b ἀνδραγαθίας ἕνεκα καὶ εὐνοίας*, 170 *ἀρετῆς ἕνεκα καὶ εὐνοίας*, 872 and 1156—7 *ἀρετῆς ἕνεκα καὶ δικαιοσύνης*, 256 *b εὐνοίας ἕνεκα καὶ ἐπιμελείας*. **τῶν τοιούτων**, as usual, without the conjunction, at the end of an enumeration; similarly in Latin we constantly find *cetera*, instead of *et cetera*.

μεμερίσθαι, apportioned by a kind of graduated scale, according to the merits of the recipients.

§ 123. **οἱ μέν**, those who have received other rewards, besides the immunity. **οἱ δέ**, those who have received the immunity alone.

τῶν αὐτῶν—εὐεργεσιῶν, in consideration of 'the same services'; their *ἀτέλεια* rests on the same grounds as their other rewards, and stands or falls with them.

ἄξια...εὖ πεποιηκέναι] 47 *ἄξια...εὖ πάσχειν*.

τῶνδε and **τούσδε** correspond to the second of the two classes above mentioned, the **οἱ δὲ** of l. 3; while *ἐκείνους* and *ἐκείνοις* refer to the first class, the **οἱ μέν** of l. 2 of this §.

ἀφαιροῦ...ἀφέλῃ] Kühner, 202, 3. Westermann explains the change of tenses by pointing out that the former refers to what has already resulted from the action of Leptines; the latter to that which may result from it in the future.

§ 124. **ὑπὲρ**=*περί*, as in 19 § 94; 45 § 11; 57 § 45; in all of which passages we have *ὑπέρ* in the second clause corresponding (as here) to *περί* in the first. It may be added that in all these passages the use of *ἀλλ' ὑπὲρ* or *οὐδ' ὑπὲρ* prevents the collocation of more than two short syllables,—*ἀλλὰ περί, οὐδὲ περί*. In the last of the three it is to be

τοῦ[c] πονηρὸν ἔθος τὸν νόμον εἰσάγειν καὶ τοιοῦτον, δι' οὗ πάντ' ἄπιστα ὅσ' ὁ δῆμος δίδωσιν ἔσται.

125 Ὃν τοίνυν κακουργότατον οἴονται λόγον εὑρηκέναι πρὸς τὸ τὰς ἀτελείας ὑμᾶς ἀφελέσθαι πεῖσαι, βέλτιόν ἐστι προειπεῖν, ἵνα μὴ λάθητ' ἐξαπατηθέντες. ἐροῦσ'[d] ὅτι ταῦθ' ἱερῶν ἐστιν ἅπαντα τἀναλώμαθ', αἱ χορηγίαι καὶ αἱ γυμνασιαρχίαι[e]· δεινὸν οὖν, εἰ τῶν 495
ἱερῶν ἀτελής τις[f] ἀφεθήσεται. ἐγὼ δὲ τὸ μέν τινας, οἷς ὁ δῆμος ἔδωκ', ἀτελεῖς εἶναι τούτων δίκαιον ἡγοῦμαι, ὃ δὲ νῦν οὗτοι
126 ποιήσουσιν, ἐὰν ἄρα ταῦτα λέγωσι, τοῦτ' εἶναι δεινὸν νομίζω. εἰ γὰρ ἃ [κατὰ][g] μηδέν' ἄλλον ἔχουσι τρόπον δεῖξαι δίκαιον ὑμᾶς ἀφελέσθαι, ταῦτ' ἐπὶ τῷ τῶν θεῶν ὀνόματι ποιεῖν ζητήσουσι[h], πῶς οὐκ ἀσεβέστατον ἔργον καὶ δεινότατον πράξουσι[i]; χρὴ γάρ, ὡς γοῦν ἐμοὶ δοκεῖ, ὅσα τις πράττει τοὺς θεοὺς ἐπιφημίζων, τοιαῦτα φαίνεσθαι, οἷα μηδ' ἂν ἐπ' ἀνθρώπου πραχθέντα[j] πονηρὰ φανείη. ὅτι δ' οὐκ ἔστι ταὔθ'[k] ἱερῶν ἀτέλειαν ἔχειν καὶ λῃτουργιῶν, ἀλλ'
127 οὗτοι τὸ τῶν λῃτουργιῶν ὄνομα[l] ἐπὶ τὸ τῶν ἱερῶν μεταφέροντες ἐξαπατᾶν ζητοῦσι, Λεπτίνην ὑμῖν αὐτὸν ἐγὼ παρασχήσομαι

[c] τοῦ S O Y P: τοῦ μὴ L (B 1824). [d] ἐροῦσι γὰρ ὅτι quattuor brevibus una positis A et correctus S, vulgo ἔρουσιν ὅτι (omisso γὰρ) L O Y X. ἐροῦσ' ὅτι Bl.
[e] αἱ χορηγίαι καὶ αἱ γυμνασιαρχίαι (γυμνασίαι S et L^1) seclusit F. A. Wolf (D W Wr).
[f] τις ἀτελὴς Y O P. In utraque lectione tres breves una occurrunt, itaque τις ἀφείσεται conicit Bl. [g] κατὰ propter quattuor breves seclusit Weil, collato § 93 ubi ante ὃν τρόπον in F καθ' additum (Bl). [h] ζητήσουσιν codd. (V W Wr). [i] πράξουσιν codd. (Z B V W Wr). [j] secl. Blass, collato Aristid. ii 506 ἃ γὰρ ἂν αἰσχρὰ φαίης ἐπ' ἀνθρώπων εἶναι, ταῦτ' οὐκ ἂν ἔχοις εἰπεῖν μὴ οὐ πολὺ τοῦ γε θεοῖς πρέπειν ἀπέχειν. [k] ταὔθ' Bl. ταὐτὸν vulg. ταὐτὸ O P^1 X. [l] ὄνομα propter breves syllabas seclusit Bl, coll. 120 τὸ τῆς εἰκόνος et Or. 21 § 34.

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admitted that οὐδὲ περὶ is found twice in the first clause; but it is uncertain whether the speech in question, the *Eubulides*, was really written by Demosthenes.

§ 125. **κακουργότατον**, 113. 'The orator represents his opponents as thinking aloud, and puts into their own mouths the avowal of their knavery' (Weil).

ὑμᾶς ἀφελέσθαι πεῖσαι] ὑμᾶς is the object of πεῖσαι, not of ἀφελέσθαι. The order is possibly due to a desire of avoiding *hiatus*.

ταῦθ' inserted between ὅτι and ἱερῶν (instead of after ἅπαντα) prevents *hiatus*.

ἱερῶν] 'all these expenses belong to religious rites'.

The office of χορηγὸς had a semi-religious sanctity attaching to it, in so far as it was connected with the Dionysian festivals. Demosthenes himself insists on this in the *Meidias*, §§ 51—55. But he here shews (in § 126) that ἱερὰ in their strictest sense are not included in the ἀτέλεια.

ἱερῶν ἀτελής. *Introd.* § 3.

τούτων, not τῶν ἱερῶν but τῶν ἀναλωμάτων (Wolf, Weil, Rosenberg).

δεινὸν emphatically repeating δεινὸν at the beginning of the sentence.

§ 126, **ὑμᾶς**, the subject of ἀφελέσθαι.

ἐπὶ τῷ τῶν θεῶν ὀνόματι, expressed below by τοὺς θεοὺς ἐπιφημίζων. **ποιεῖν** = not ἀφελέσθαι alone, but δεῖξαι δίκαιον ὑμᾶς ἀφελέσθαι (G. H. Schaefer).

τοὺς θεοὺς ἐπιφημίζων, 'praeferens honestum et speciosum deorum nomen' (Reiske), 'for which the gods are appealed to' (Kennedy). **τοιαῦτα φαίνεσθαι...**, 'should shew themselves to be, should be proved to be, of such a character'. **ἐπ' ἀνθρώπου**, 'under human sanction', 'on human authority'. Cf. § 54 ἐπ' Ἀνταλκίδου, 'negociated by A.'

μάρτυρα. γράφων γὰρ ἀρχὴν τοῦ νόμου[m] *"Λεπτίνης εἶπε*[n]*" φησίν, "ὅπως ἂν οἱ πλουσιώτατοι λητουργῶσιν, ἀτελῆ μηδὲν' εἶναι πλὴν "τῶν ἀφ' Ἁρμοδίου καὶ Ἀριστογείτονος". καίτοι εἰ ἦν ἱερῶν ἀτέλειαν ἔχειν ταὐτὸ καὶ λητουργιῶν, τί τοῦτο μαθὼν*[o] *προσέγραψεν; οὐδὲ γὰρ τούτοις ἀτέλεια τῶν γ' ἱερῶν ἐστιν δεδομένη. ἵνα δ' εἰδῆθ' ὅτι ταῦτα τοῦτον ἔχει τὸν τρόπον, λαβέ μοι πρῶτον μὲν τῆς στήλης τἀντίγραφα, εἶτα τὴν ἀρχὴν τοῦ νόμου τοῦ Λεπτίνου. λέγε.*

ΑΝΤΙΓΡΑΦΑ ΣΤΗΛΗΣ.

Ἀκούετε τῶν ἀντιγράφων τῆς στήλης, ὦ ἄνδρες Ἀθηναῖοι, 128
ἀτελεῖς αὐτοὺς εἶναι κελευόντων πλὴν ἱερῶν. λέγε δὴ τὴν ἀρχὴν
τοῦ νόμου τοῦ Λεπτίνου.

ΝΟΜΟΣ.

496 *Καλῶς. κατάθες. γράψας "ὅπως ἂν οἱ πλουσιώτατοι λη-*
"τουργῶσι", "μηδὲν' εἶναι" προσέγραψ' "ἀτελῆ[p] *πλὴν τῶν ἀφ'*
"Ἁρμοδίου καὶ Ἀριστογείτονος". τίνος εἵνεκ', εἴ γε τὸ τῶν ἱερῶν
τέλος ἐστὶ λητουργεῖν[q]*; αὐτὸς γὰρ οὑτωσὶ τἀναντία τῇ στήλῃ*
γεγραφώς, ἂν τοῦτο λέγῃ, φανήσεται. ἡδέως δ' ἂν ἔγωγ' ἐροίμην 129
Λεπτίνην· τίνος αὐτοῖς τὴν ἀτέλειαν ἢ σὺ νῦν καταλείπειν φήσεις[r]
ἢ κείνους[s] *τότε δοῦναι, τὰς λητουργίας ὅταν εἶναι φῇς ἱερῶν; τῶν*

[m] [*ἀρχὴν τοῦ νόμου*] 'Qu. scholion?' Dobree. [n] *εἶπεν* codd. (V W Wr).
[o] *μαθὼν* codd. (B V W Wr Bl): *παθὼν* Lambini margo, Markland (Z D). 'Satis apud me constat in tali re *τί μαθών* esse mendosum ac vitio natum, quum constanter Athenienses *τί παθών* dicere solerent....Reponendum *τί παθὼν τοῦτο προσέγραψεν*;' Cobet.
[p] *προσέγραψ' ἀτελῆ* (Bl); *προσέγραψεν ἀτελῆ* S L O Y (D); *προσέγραψε* (sic) *ἀτελῆ* (Wr): *ἀτελῆ, πρ.* (Z B V W). [q] '*εἴγε τῶν ἱερῶν τέλος ἐστὶ τὸ* λ. postulat argumentum et mos Graece scribendi' Markland. *εἴγε—λειτουργεῖν* 'cum Marklando corrupta credo. Vide an *εἴγε ἱερῶν τὸ τέλος ἔστιν*; *ἱερῶν* sine artic. p. 495, 1, 12, 19; 496, 13' (Dobree). [r] *φήσεις* codd.: *φῇς* de suo scripsit Bl, 'minime aptum futurum in interrogatione directa' censens; sed futurum verba Leptinis futura in oratione respondentis indicat. [s] *ἐκείνους* (Z B D W); '*κείνους* (Wr); *κείνους* (V Bl).

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§ 127. **γράφων—ἀρχὴν τοῦ νόμου**, 'in drafting the first clause of his law'.

τοῦτο is for the sake of emphasis separated from *προσέγραψεν* by *μαθών*. **τί μαθών**, 'what induced him to', 'what was his motive', implying a reason appealing to the judgment or understanding. *τί παθών* would have meant, 'what possessed him to', 'what impelled him', implying something more like helplessness under external influence.

τῆς στήλης τἀντίγραφα] 'copies of (the inscription on) the tablet', recording the honours decreed to the descendants of Harmodius and Aristogeiton. On *στήλη*, cf. § 36.

§ 128. **εἴ γε—λητουργεῖν**] i.e. 'if the payment for religious rites is identical with bearing the public burdens'.

τῇ στήλῃ=as above, (the inscription on) the tablet.

§ 129. **ἐροίμην Λεπτίνην...φήσεις**] a rapid transition from indirect to direct address. We have the converse in 144.

κείνους, *τοὺς προγόνους*.

ὅταν. Cf. the position of *εἰ* in §§ 23, 25, and of *ἐὰν* in §§ 43, 46.

μὲν γὰρ εἰς τὸν πόλεμον πασῶν εἰσφορῶν καὶ τριηραρχιῶν[t] ἐκ τῶν παλαιῶν νόμων οὐκ εἰσ' ἀτελεῖς· τῶν δὲ λητουργιῶν, εἴπερ εἶσ'
130 ἱερῶν, οὐδ' ἔχουσιν[u]. ἀλλὰ μὴν γέγραπταί γ' ἀτελεῖς αὐτοὺς εἶναι. τίνος; ἢ[v] τοῦ μετοικίου; τοῦτο γὰρ λοιπόν. οὐ δήπου, ἀλλὰ τῶν ἐγκυκλίων λητουργιῶν, ὡς ἥ τε στήλη δηλοῖ, καὶ σὺ προσδιώρισας ἐν τῷ νόμῳ, καὶ μαρτυρεῖ πᾶς ὁ πρὸ τοῦ χρόνος γεγονώς, ἐν ᾧ τοσούτῳ τὸ πλῆθος ὄντι, οὔτε φυλὴ πώποτ' ἐνεγκεῖν ἐτόλμησ' οὐδεμί' οὐδένα τῶν ἀπ' ἐκείνων χορηγόν, οὔτ' ἐνεχθεὶς αὐτοῖς ἄλλος οὐδεὶς ἀντιδοῦναι. οἷς οὐκ ἀκουστέον ἂν ἐναντία τολμᾷ λέγειν.

131 Ἔτι τοίνυν ἴσως ἐπισύροντες ἐροῦσιν, ὡς Μεγαρεῖς καὶ Μεσ-

[t] *πασῶν εἰσφορῶν καὶ τ.* secl. Cobet. [u] *οὐδ' ἀρχὴν* coniecit Weil; *οὐδὲ τούτων ἔχουσιν* Sauppe, *οὐδ' εἰπεῖν ἔχουσιν* Hirschig, *Philol.* v 333. [v] *ἢ* Dobree.

οὐδ' ἔχουσιν, sc. *ἀτέλειαν*, understood from *εἰσ' ἀτελεῖς*, as in § 8 (West.). Dindorf, less satisfactorily, understands *ἀτελεῖς εἶναι*. Other critics alter the text.

§ 130. **γέγραπται**] *ἐν τῇ στήλῃ*. **ἤ**, 'or is it'; like *an*, interrogatively introducing a fresh alternative.

μετοικίου] Every other alternative being exhausted, the orator raises a laugh by asking whether it is the tax imposed on resident aliens from which citizens descended from the tyrannicides are exempt. Harpocration: *ἐδίδοντο ὑπ' αὐτῶν (τῶν μετοίκων) καθ' ἕκαστον ἔτος δραχμαὶ ιβ', ὅπερ ὠνόμαστο μετοίκιον*. Boeckh's *P. E.* III vii.

ἐγκυκλίων] *periodical*, i.e. 'annual or ordinary' public burdens; *munera solennia, stata, ordinaria;* including *χορηγία, γυμνασιαρχία* and *ἑστίασις*.

προσδιώρισας] It has hence been inferred that the words *τῶν ἐγκυκλίων λητουργιῶν* formed part of the law of Leptines, and that, as they did not occur in the clause quoted in § 29, they were part of the next clause: *μηδὲ τὸ λοιπὸν ἐξεῖναι τῷ δήμῳ τῶν ἐγκυκλίων λητουργιῶν ἀτέλειαν δοῦναι μηδενί* (A. Schaefer, *Dem.* i 354[1], 392[2]). But it would be a singular piece of drafting to insert the words *τῶν ἐγκ. λητ.* in the later clause and to leave them to be understood in the earlier, when exactly the reverse would be the ordinary form of expression. And, further, there is nothing to shew that it is the clause just quoted which is here referred to. It has been suggested with greater probability, that the clause *πλὴν—Ἀριστογείτονος* *indirectly* implied that it was exemption from the *ἐγκύκλιοι λητουργίαι* which was meant by Leptines (Benseler, p. 154; cf. Sauppe in *Philologus* 25, 267 f). It seems more simple, however, to suppose (with Weil) that the orator alludes to the words *ὅπως οἱ πλουσιώτατοι λητουργῶσιν* in § 128. These words 'can only refer to the ordinary liturgies; since the extraordinary liturgies are out of the question, as we have just seen in § 129'. Sauppe observes that *προσδιορίζειν* is not found elsewhere in Attic Greek (as the authority of the best MS excludes it from Or. 19 § 235). In opposition to the view of Wolf and Voemel that *πρὸς* here means *insuper, ita ut auctoritas Leptinis testimonio columnae accedere videatur*, he points out that it implies the addition of the special exception *πλὴν τῶν κ.τ.λ.* to the general clause *μηδέν' εἶναι ἀτελῆ*.

πλῆθος] *χρόνου πλῆθος* (Thuc. i 1 § 2; Plat. *Theaet.* 158 D) is used as well as *χρόνου μῆκος*, corresponding respectively to *πολὺς χρόνος* and *μακρὸς χρόνος* (Weil).

ἐνεγκεῖν...χορηγόν] Each of the tribes in turn nominated a choregus out of its own body. 39 § 7 *οἱ σουσιν οἱ φυλέται τὸν αὐτὸν τρόπον ὅνπερ τοὺς ἄλλους· οὐκοῦν Μαντίθεον Μαντίου Θορίκιον οἱ σουσί με, ἂν χορηγὸν ἢ γυμνασίαρχον ἢ ἑστιάτορα ἢ ἐάν τι τῶν ἄλλων φέρωσιν*. **ἐκείνων**, the tyrannicides. **ἀντιδοῦναι**, 40.

§ 131. **ἐπισύροντες**] *leviter* (Voemel), 'in their off-hand way' (Kennedy). The word is originally applied to a trailing robe, or a dress draggling in the dirt, and is metaphorically used of a careless and slovenly way of talking. It thus resembles our metaphorical use of the word 'slip-shod'. Lysias, 26 § 3 *ἐπι-*

σήνιοί τινες εἶναι[w] *φάσκοντες, ἔπειτ' ἀτελεῖς εἰσιν ἀθρόοι παμπληθεῖς*[x] *ἄνθρωποι, καί τινες ἄλλοι*[y] *δοῦλοι καὶ μαστιγίαι, Λυκίδας καὶ Διονύσιος*[z]*, καὶ τοιούτους τινὰς ἐξειλεγμένοι. ὑπὲρ δὴ τούτων ὠδὶ ποιήσαθ', ὅταν ταῦτα λέγωσι*[a]*· κελεύετ', εἴπερ ἀληθῆ λέγουσι*
497 *πρὸς ὑμᾶς, τὰ ψηφίσματ' ἐν οἷς ἀτελεῖς εἰσιν οὗτοι δεῖξαι. οὐ γάρ ἐστ' οὐδεὶς ἀτελὴς παρ' ὑμῖν, ὅτῳ μὴ ψήφισμ' ἢ νόμος δέδωκε τὴν ἀτέλειαν. πρόξενοι μέντοι πολλοὶ διὰ τῶν πολιτευομένων* 132

[w] *εἶναι πρόξενοι* coniecit Weil, in textum recepit Wr. [x] *ἀθρόοι, παμπληθεῖς* (*ἀθ.* Z, B D Bl): sine interpunctione (V W Wr). [y] *ἄλλοι* delere vult Bl.
[z] *Διονυσίους* coniecit Reiske (W). 'Non opus Reiskii emendatione. Subito detorquet orationem, ubi exspectasses tertium nomen' Dobree, coll. § 157 *καί, τὸ λοιπὸν ἐῶ. δοῦλοι καὶ μαστιγίαι* (*Λυκίδας κ. Διονύσιος κ. τοιοῦτοί τινες*) *ἐξελελεγμένοι*, verberones convicti. Markland. [a] *ὅταν ταῦτα λέγωσι* cum sequentibus coniunxerunt D V, cum antecedentibus Z B W Wr Bl. *λέγωσιν* Z V W Wr.

σύροντα τὰ πράγματα καὶ διακλέπτοντα τῇ ἀπολογίᾳ τὴν κατηγορίαν. Lucian, *Vera Historia*, ii 46 *νεανίδες ποδήρεις τοὺς χιτῶνας ἐπισυρόμεναι.*

Μεγαρεῖς—φάσκοντες] If we are to render this 'making themselves out to be Megarians and Messenians', we must shew that Megarians and Messenians, as such, were entitled to *ἀτέλεια* at Athens. The Megarians fought on the same side as Athens against the Persians; and the Messenians, when banished from Messenia by the Lacedaemonians, were settled by the Athenians at Naupactus, from which they were subsequently expelled after the battle of Aegospotami (Pausanias x 38 § 5). It is just possible that, on their being expelled by the Lacedaemonians, some of them were received at Athens and granted certain privileges; but of this we find no record. The Megarians were generally at enmity with the Athenians; their exclusion from the Athenian markets was one of the causes of the Peloponnesian War; and during that war the Athenians invaded their territory twice a year. (It is however suggested by Whiston that 'when the Thirty had put Theramenes to death, many of the constitutional party took refuge in Megara, Xen. *Hell.* ii 4 § 1. Hence perhaps the Megarians were popular in Athens'.)

To remove the above difficulties, it has been proposed either to insert *ἀτελεῖς* before *εἶναι φάσκοντες*, or to understand it from the subsequent clause: 'by making out (they are exempt), are accordingly actually exempt' (G. H. Schaefer, West.). Weil considers this unsatisfactory both in sense and in expression; and therefore proposes to insert *πρόξενοι* after *εἶναι*, which is consistent with the first part of § 132. I should prefer *προξενεῖν φάσκοντες*. Demosthenes uses the verb in 15 § 15; 18 § 82; and elsewhere.—*τινὲς εἶναι φάσκοντες* was taken separately by Markland in the sense, *qui se dicunt esse aliquo in numero.*

ἀθρόοι παμπληθεῖς, to be taken together, as in 21 § 131 *πολλοὺς ἀθρόους*, and 135 *τοσούτων ἀνθρώπων ἀθρόων*, Plat. *Gorg.* 490 B *πολλοὶ ἀθρόοι ἄνθρωποι* (West.).

μαστιγίαι] *verberones*, 'stigmatics' (Kennedy); 'knaves'.

Λυκίδας] formerly a slave of Chabrias who was set free and made a *πρόξενος* (133). Of *Διονύσιος* nothing is known.

ἐξειλεγμένοι, middle, agreeing with the subject of the principal verb *ἐροῦσιν*. It is passive in 23 § 88.

ἐν οἷς—εἰσίν] 'in which they are (stated to be) exempt'.

ἢ νόμος] e.g. the nine archons exempted by the *law* quoted in § 27; and similarly with 'orphans' (Or. 27—29).

§ 132. **πρόξενοι]** See note on *προξενία*, § 60.

διὰ τῶν πολιτευομένων] Thus in Lysias 13 § 72 Agoratus and others get their names inscribed as 'benefactors', *δόντες ἀργύριον τῷ ῥήτορι.* Demosthenes himself, at a later time, was taunted with proposing certain persons as *πρόξενοι*, for a pecuniary consideration: Dinarchus 1 § 45 *ὅσους οὗτος γέγραφε προξένους εἶναι καὶ Ἀθηναίους* (cf. Aesch. 3 § 85, and Hyper. 1 xxi 15, and fragm. 79 Blass). The grant of citizenship is made to certain *πρόξενοι* by a special decree in CIA ii 187; Hyperides, fragm. 80 Blass, says of Alcimachus and Antipater *Ἀθηναίους καὶ*

γεγόνασι[b] παρ' ὑμῖν τοιοῦτοι, ὧν εἷς ἐστιν ὁ Λυκίδας. ἀλλ' ἕτερον πρόξενόν ἐστ' εἶναι καὶ ἀτέλειαν εὑρῆσθαι. μὴ δὴ παραγόντων ὑμᾶς, μηδ', ὅτι δοῦλος ὢν ὁ Λυκίδας καὶ Διονύσιος καί τις ἴσως ἄλλος, διὰ τοὺς μισθοῦ τὰ τοιαῦτα γράφοντας ἑτοίμως πρόξενοι γεγόνασι, διὰ τοῦθ' ἑτέρους ἀξίους[c] καὶ ἐλευθέρους καὶ πολλῶν ἀγαθῶν αἰτίους, ἃς ἔλαβον δικαίως παρ' ὑμῶν δωρειὰς
133 ἀφελέσθαι ζητούντων. πῶς γὰρ οὐχὶ καὶ κατὰ τοῦτο δεινότατ' ἂν πεπονθὼς ὁ Χαβρίας φανείη, εἰ μὴ μόνον ἐξαρκέσει[d] τοῖς τὰ τοιαῦτα πολιτευομένοις, τὸν ἐκείνου δοῦλον Λυκίδαν πρόξενον ὑμέτερον πεποιηκέναι, ἀλλ' εἰ καὶ[e] διὰ τοῦτον πάλιν τῶν ἐκείνῳ τι δοθέντων ἀφέλοιντο, καὶ ταῦτ' αἰτίαν λέγοντες ψευδῆ; οὐ γάρ

[b] γεγόνασιν V W Wr. [c] ἀξίους 'delendum videtur vel legendum pro *αἰτίους* mox' (Dobree). 'Plane assentior et saepe vidi *ἄξιος* et *αἴτιος* inter se permutata' (Cobet).

[d] ἐξαρκέσει S L vulg. (edd.); ἐξαρκέσειε F, ἐξαρκεσει X, ἐξαρκέσειεν (Bl). 'Mutarunt qui ob sequens *ἀφέλοιντο* etiam in priori membro optativum requirerent, parum illi reputantes in huiusmodi enuntiationibus bimembribus haud raro prius membrum definite, posterius hypothetice dici. Orator, opinor, hoc vult: Factio ista satis habere debebit tale mancipium in Chabriae dedecus proxenum fecisse. Quod si hac una re non contenti, praetextu indidem sumto, immunitatem viro de republica tam egregie merito datam obolerent, ecquis negaret summam Chabriae iniuriam fieri?' G. H. Schaefer. [e] *καὶ* post *πάλιν* propter numeros transposuit Bl.

προξένους ἐποιησάμεθα. But at Athens the right of citizenship was conferred by a separate decree from that granting the *προξενία* (Boeckh I xxiv p. 194 Lamb), and this is confirmed by all the extant inscriptions on this point (Monceaux, *les proxénies grecques*, p. 100).—**Λυκίδας** has the article prefixed because the name has already occurred.

ἕτερον πρόξενόν ἐστ' εἶναι κ.τ.λ.] The natural order of words, *ἕτερόν ἐστι πρόξενον εἶναι*, is altered by the juxtaposition of two parts of the same verb, as in p. 504 § 154.

The text implies that it was easier for foreigners to obtain the position of *proxenos* than exemption from public services. Down to the year in which this speech was delivered, we have in the inscriptions of Attica twenty-four instances in which foreigners received the title of *proxenos* and only six in which they were granted *ἀτέλεια* (Thumser p. 136, cf. *Introd.* § 3).

διὰ τοὺς—ἑτοίμως] 'Thanks to those who so readily draft such decrees for a bribe'. As a contrast to *μισθοῦ* in this sentence, we have *δικαίως* in the next.

§ 133. **Χαβρίας**] Here the orator, as observed by Weil, returns in a manner that is as ingenious as it is unexpected to the hero of an earlier portion of his speech (§§ 75—86). 'Chabrias will clearly have suffered a most cruel wrong, if those who pursue such a policy as this, not content with merely making his slave a *proxenos* of Athens, were on account of that slave, in *his* turn, to resume any one of the honours granted to Chabrias'. **μόνον**, though placed near *ἐξαρκέσει*, belongs mainly to *πρόξενον πεποιηκέναι*. Cf. Rehdantz on Lycurgus § 25 p. 134 *ἐξήρκεσε... μόνον ὑπεκθέσθαι*. 'Sauppe and Baiter observe: this passage and Xen. *Mem.* ii 2 § 6, i 1 § 15, Lys. 3 § 25, in all of which *μόνον* stands *after* *ἀρκεῖ*, shew that, even where it stands before it (*Mem.* i 4 § 13, *Hell.* iii 2 § 21, *Cyr.* viii 8 §§ 16, 17; And. 4 § 15; Is. 19 § 47; Soph. *Ant.* 308), *μόνον* is not to be joined with *ἀρκεῖ* but with the infinitive'.

For the combination of the fut. indic. *ἐξαρκέσει* with the optative *ἀφέλοιντο* in the parallel clause, cf. § 62.

καὶ ταῦτ'—ψευδῆ] 'and *that* on a ground that is false', Lycidas, who is only a *πρόξενος*, being made out to be *ἀτελὴς πρόξενος ὤν*, '*as* (by virtue of being) proxenos'. **λόγῳ**, contrasted with *δεικνύναι* (implying *ἔργῳ*) in the previous clause (West.). **ἄν**, placed with the verb, instead of at the beginning of the clause

ἐστιν οὔθ' οὗτος οὔτ' ἄλλος οὐδεὶς πρόξενος ὢν ἀτελής, ὅτῳ μὴ διαρρήδην ἀτέλειαν ἔδωκεν ὁ δῆμος. τούτοις δ' οὐ δέδωκεν[f], οὐδ' ἔξουσιν οὗτοι δεικνύναι, λόγῳ δ' ἂν ἀναισχυντῶσιν, οὐχὶ καλῶς ποιήσουσιν.

Ὃ τοίνυν μάλιστα πάντων οἶμαι δεῖν ὑμᾶς, ὦ ἄνδρες Ἀθηναῖοι, 134
φυλάξασθαι, τοῦτ' εἰπεῖν ἔτι βούλομαι. εἰ γάρ τις πάνθ', ὅσα Λεπτίνης ἐρεῖ περὶ τοῦ νόμου διδάσκων ὑμᾶς ὡς καλῶς κεῖται, συγχωρήσειεν ἀληθῆ λέγειν αὐτόν, ἕν γ' αἰσχρὸν οὐδ' ἂν εἷ τι γένοιτ' ἀναιρεθείη, ὃ συμβήσεται διὰ τοῦ νόμου κυρίου γενομένου τῇ πόλει. τί οὖν τοῦτ' ἔστιν; τὸ δοκεῖν ἐξηπατηκέναι τοὺς
498 ἀγαθόν τι ποιήσαντας. ὅτι μὲν τοίνυν τοῦθ' ἕν τι τῶν αἰσχρῶν 135
ἐστι πάντας ἂν ἡγοῦμαι φῆσαι, ὅσῳ δ' ὑμῖν αἴσχιον τῶν ἄλλων ἀκούσατέ μου. ἔστιν ὑμῖν νόμος ἀρχαῖος, τῶν καλῶς[g] δοκούντων ἔχειν[h], ἄν τις ὑποσχόμενός τι τὸν δῆμον ἐξαπατήσῃ, κρίνειν, κἂν ἁλῷ, θανάτῳ ζημιοῦν. εἶτ' οὐκ αἰσχύνεσθ', ὦ ἄνδρες Ἀθηναῖοι, εἰ ἐφ' ᾧ τοῖς ἄλλοις θάνατον ζημίαν ἐτάξατε, τοῦτ' αὐτοὶ ποιοῦντες φανήσεσθε; καὶ μὴν πάντα μὲν εὐλαβεῖσθαι δεῖ ποιεῖν τὰ δοκοῦντα καὶ ὄντ' αἰσχρά, μάλιστα δὲ ταῦτ'[i] ἐφ' οἷς τοῖς ἄλλοις χαλεπῶς τις ἔχων ὁρᾶται· οὐδὲ γὰρ ἀμφισβήτησις[k] καταλείπεται, τὸ μὴ[l] ταῦτα ποιεῖν, ἃ πονήρ' αὐτὸς ἔκρινεν εἶναι πρότερον.

Ἔτι τοίνυν ὑμᾶς κἀκεῖνο εὐλαβεῖσθαι δεῖ, ὅπως μηδὲν ὢν 136
ἰδίᾳ φυλάξαισθ' ἄν, τοῦτο δημοσίᾳ ποιοῦντες φανήσεσθε. ὑμῶν τοίνυν οὐδ' ἂν εἷς οὐδὲν ὢν ἰδίᾳ τινὶ δοίη, τοῦτ' ἀφέλοιτο πάλιν, ἀλλ' οὐδ' ἐπιχειρήσειεν ἄν. μὴ τοίνυν μηδὲ δημοσίᾳ τοῦτο ποιή-

[f] *οὐ δέδωκεν* S L O Y (Bl): *οὐκ ἔδωκεν* vulg. (Z D V W Wr), *οὔτ' ἔδωκεν οὔθ'* A.
[g] *τῶν καλῶς* L vulg., et S in margine *γρ τῶν καλ. δ. ἔχειν*: *καλῶς τῶν* S (Z V Wr).
[h] *ἔχειν* om. S in textu (secl. Wr).
[i] *τὰ* postulat Cobet.
[k] *+ἔτι* L F, brevibus quinque collocatis.
[l] *οὐ* addit Bl, collato 24 § 69: om. codd. et Aristides i 603.

(*ἂν δὲ λόγῳ* involving a double *hiatus*, before and after it): cf. 43 *εἰ φαίνοιτο*.

§ 134. **φυλάξασθαι**] reserved to the end for additional emphasis. **οὐδ' ἂν εἷ τι γένοιτ'**, 18 § 168; *τί*, though an enclitic, is here emphatic.

κυρίου γενομένου=*κύριος ἐὰν γένηται* (34). Cf. 20 *ἐὰν ὁ νόμος τεθῇ*. The phrase *κύριον ποιεῖν τὸν νόμον* is similarly applied to the question before the court, in §§ 139, 143. **τῇ πόλει**, separated from *συμβήσεται*.

δοκεῖν] 'to have the reputation of'.

§ 135. **ἕν τι τῶν αἰσχρῶν**] explains the construction of *τῶν ἀδίκων ἐστὶν* (2) and the like. **ἂν ἡγοῦμαι φῆσαι**, the normal collocation, 115.

τῶν ἄλλων=*ἢ τοῖς ἄλλοις*, 3 § 32; 9 § 40; Lys. 6 § 30; 29 § 4. Rehdantz, *index*², comparatio, fin.

ἄν τις—ζημιοῦν] § 100.

τὸ μὴ=*ὥστε μή*. 19 § 163 *οὐδ' ἄρνησίς ἐστιν αὐτοῖς τὸ μὴ...*, 24 § 69 *οὐδὲ λόγος λείπεται τὸ μὴ οὐ πονηροῖς εἶναι*, and 23 § 167 (quoted by West.). Cf. Andoc. 3 § 26 *οὐδὲ λόγος ὑπολείπεται μὴ οὐκ ἀδικεῖν* (Kühner, ii p. 765). Goodwin's *M* and *T*, § 812, ed. 1889.

§ 136. **μηδὲν** and **οὐδὲν** are both followed by *τοῦτο* which refers back to *τι* implied in the negative pronoun.

137 σητε, ἀλλὰ κελεύετε τούτους τοὺς ἐροῦντας ὑπὲρ τοῦ νόμου, εἴ τινα τῶν εὑρημένων τὴν δωρειὰν ἀνάξιον εἶναί φασιν, ἢ μὴ πεποιηκότ'[m] ἐφ' οἷς εὗρετ' ἔχειν, ἢ ἄλλ' ὁτιοῦν ἐγκαλοῦσίν[n] τινι, γράφεσθαι κατὰ τὸν νόμον ὃν παρεισφέρομεν νῦν ἡμεῖς, ἢ θέντων ἡμῶν, ὥσπερ ἐγγυώμεθα καὶ φαμὲν θήσειν, ἢ θέντας αὐτούς, ὅταν πρῶτον γένωνται νομοθέται. ἔστι δ' ἑκάστῳ τις αὐτῶν ὡς ἔοικεν ἐχθρός,
138 τῷ μὲν Διόφαντος, τῷ δ' Εὔβουλος, τῷ δ' ἴσως ἄλλος τις. εἰ δὲ τοῦτο φεύξονται καὶ μὴ θελήσουσιν ποιεῖν, σκοπεῖτ', ὦ ἄνδρες Ἀθηναῖοι, εἰ καλῶς ὑμῖν ἔχει, ἃ τούτων ἕκαστος ὀκνεῖ τοὺς 499
ἐχθροὺς ἀφαιρούμενος ὀφθῆναι, ταῦθ' ὑμᾶς τοὺς εὐεργέτας ἀφῃρημένους φαίνεσθαι, καὶ τοὺς εὖ τι πεποιηκότας ὑμᾶς, οἷς οὐδεὶς ἂν ἐγκαλέσαι, νόμῳ τὰ δοθέντ' ἀπολωλεκέναι δι' ὑμῶν ἀθρόους, παρόν, εἴ τις ἄρ' ἐστὶν ἀνάξιος, εἷς ἢ δύ' ἢ πλείους, γραφῇ[nn] διὰ

[m] πεποιηκότα τὰ ἐφ' οἷς Cobet. [n] Σ (Bl): -σί. [nn] γραφῇ post ταὐτὸ A (Bl; 'interest ut haec διὰ τούτων et γραφῇ, in quibus vis oppositionis inest, inter se separentur, quo maius pondus accipiant').

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§ 137. **τοὺς ἐροῦντας** κ.τ.λ.] The *σύνδικοι* of 146.

εἴ τινα—ἐγκαλοῦσίν τινι] The three clauses correspond to those of § 97.

παρεισφέρομεν, 88, 89, 99. **ἐγγυώμεθα—θήσειν**, 100. **θέντας αὐτούς**, 101.

ὅταν—νομοθέται] 'as soon as a legislative committee has been constituted', i.e. early in the following year (91). The words are to be taken closely with the preceding *θέντων* and *θέντας*.

ἔστι—ἐχθρός] The point of this is not obvious till we reach the clause *τοὺς ἐχθροὺς* κ.τ.λ. in the next sentence. **αὐτῶν**, *τῶν συνδίκων*.

Διόφαντος, of Sphettos; 35 § 6 *ὁ Διοφάντου υἱός, ἐκείνου τοῦ Σφηττίου*, Isaeus 3 § 22 Δ. *τὸν Σφήττιον...ὃς ἔλεγε τὴν δίκην ὑπὲρ τούτου*. In 19 § 297 he is mentioned as a leading statesman who confined his influence to the public assembly; the same name occurs in 19 §§ 86, 198. In A. Schaefer's *Dem.* i 182[1], 205[2], where he is regarded as an opponent of Eubulus in foreign politics, the present passage is unsatisfactorily rendered: *jeder der steuerfreien hat irgend einen unter den Rednern zum Feinde, der eine Eubulos der andere Diophantos.*

αὐτῶν is not equivalent to *τῶν ἀτελῶν* but refers to Leptines and his supporters, as is proved by the context. It is known as a fact that, among the latter, Aristophon was frequently in conflict with Eubulus (e.g. in 19 § 291 Dem., addressing Eubulus, says of Aristophon, *τῶν ἐχθρῶν τῶν σῶν εἷς ἐξητάζετο*).

Εὔβουλος, of Anaphlystos, the foremost politician of the peace-party, and Treasurer from 354 B.C., the year after that in which this speech was delivered. A. Schaefer, *u. s.* i 173[1], 195[2] ff.; Curtius, *H. G.* v 133—9 Ward. We may infer from this passage that both Diophantus and Eubulus were in enjoyment of the immunity. In the case of Eubulus we have further proof in the fact that there was a speech of Hyperides *περὶ τῶν Εὐβούλου δωρειῶν*, delivered after the death of Eubulus (Schol. on Aesch. 2 § 8).

§ 138. **τοῦτο**] *τὸ γράφεσθαι*.

καλῶς ὑμῖν ἔχει] governs not only *φαίνεσθαι* but also *ἀπολωλεκέναι*. Beatson wrongly takes the latter as dependent on *φαίνεσθαι*, and observes: '*φαίνεσθαι* must be conceived as repeated before *ἀπολωλεκέναι*, and to become, as it were, impersonal'. But *ἀπολωλεκέναι* would have to be altered into the participle to make it really parallel with *ἀφῃρημένους* in the previous clause. That *καλῶς ὑμῖν ἔχει* is the leading thought of the whole of this long sentence is clear from the short sentence that immediately follows.

νόμῳ, contrasted with *γραφῇ*; **δι' ὑμῶν** with *διὰ τούτων* (*τῶν συνδίκων*); **ἀθρόους** with *κατ' ἄνδρα*.

τούτων ταὐτὸ τοῦτο παθεῖν κατ' ἄνδρα κριθέντας[o]. ἐγὼ μὲν γὰρ οὐχ ὑπολαμβάνω ταῦτα καλῶς ἔχειν οὐδέ γ' ἀξίως ὑμῶν.

[σκοπῶ δὲ καὶ τοῦτο][p] Καὶ μὴν οὐδ' ἐκείνου γ' ἀποστατέον τοῦ 139
λόγου, ὅτι τῆς μὲν ἀξίας, ὅτ' ἐδώκαμεν, ἦν δίκαιον τὴν ἐξέτασιν λαμβάνειν, ὅτε τούτων οὐδεὶς ἀντεῖπεν, μετὰ ταῦτα δ' ἐᾶν, εἴ τι μὴ πεπόνθαθ' ὑπ' αὐτῶν ὕστερον κακόν. εἰ δ' οὗτοι τοῦτο φήσουσι (δεῖξαι μὲν γὰρ οὐκ ἔχουσιν[q]), δεῖ κεκολασμένους αὐτοὺς παρ' αὐτὰ τἀδικήματα φαίνεσθαι. εἰ δὲ μηδενὸς ὄντος τοιούτου τὸν νόμον ποιήσετε κύριον, δόξετε φθονήσαντες, οὐχὶ πονηροὺς λαβόντες ἀφῃρῆσθαι. ἔστι δὲ πάντα μὲν ὡς ἔπος εἰπεῖν ὅσ' ἔστιν[r] ὀνείδη 140

[o] *κριθέντα* S L[1] A (v). [p] 'Ante *καὶ μὴν οὐδ'* in libris est *σκοπῶ δὲ καὶ τοῦτο*, quod cum Reiskio delevit Dindorfius (Z B W Wr Bl). Legisse videtur Aristides (i 689; ii 287, 355) *σκ. δὲ καὶ τοῦτο* vel *σκ. δὲ κἀκεῖνο*, non legisse autem quae sequuntur *καὶ μὴν...λόγου*. Cf. Liban. Herm. ix 56, 24. Videtur duplex recensio antiquitus fuisse' (Blass). *σκοπῶ δὲ καὶ τοῦτο* (*καὶ μὴν οὐδ'—λόγου*) Voemel.
[q] *οὐκ ἔχουσιν* S L; *οὐκ ἔχουσι* (D Bl): *ἕξουσιν* vulg. et S in margine recentiore (B). 'Vulgatam tuetur futurum *φήσουσι*' (G. H. Schaefer). 'Futurum *φήσουσιν* omnino rectum est, rectum pariter praesens *ἔχουσι* i.e. non possunt vel nunc vel posterius rem demonstrare, tamen dicent. Alteri verbo, ut omnia essent concinna, grammatici sacrificabant' (Voemel). [r] '*ὅσ' ἔστιν* om. S L[1] A O Y B[1] al. (D v W Wr), inter quos A *τὰ* ante *ὀνείδη* addit. Πάντα *ὀνείδη* ferri nequit; *π. τὰ ὀνείδη* multo inferius est quam *π. ὅσ' ἔστιν ὀν.*, quod etiam numeris convenit. Cf. 23 §§ 64, 68, 79, 220 al.' (Blass).

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§ 139. An expansion of the thought already suggested in § 56.

τοῦτο, that you *have* been badly treated by them since.

μὲν] implying a subsequent clause echoing the sense of *φήσουσι*, such as *λόγῳ δὲ μόνῳ χρήσονται*.

παρά] 'at the time of the actual wrongs' (and not ever so long after). Cf. §§ 41, 46, 55, 86, 159; 18 § 13 *ταῖς ἐκ τῶν νόμων τιμωρίαις παρ' αὐτὰ τἀδικήματα χρῆσθαι*, §§ 15, 226 *τοὺς παρ' αὐτὰ τὰ πράγματ' ἐλέγχους*, 285 *παρ' αὐτὰ τὰ συμβάντα*.

§ 140. **ὡς ἔπος εἰπεῖν**] not used in Greek, like *ut ita dicam*, to apologise for a strong metaphor; but to modify a general statement, implying that it is not to be taken too strictly (Plato, *Rep.* 341 B *ποτέρως λέγεις...τὸν κρείττονα, τὸν ὡς ἔπος εἰπεῖν, ἢ τὸν ἀκριβεῖ λόγῳ*; *Leg.* 656 C contrasted with *ὄντως*). Hence it is especially used with *πᾶς*, or *ἅπας* (Isocr. 12 § 10; Aesch. 2 § 112; Dem. 19 §§ 190; 9 § 47; 18 § 4; 24 §§ 38, 212; after *πᾶς* in Plat. *Rep.* 404 C, 455 D, 526 B, 577 C, *Leg.* 639 D, 653 D, 663 B, 669 A, 778 B, 891 B, 967 C, *Alc.* i 105 C, *Ep.* 336 B; before *πᾶς*, *Apol.* 22 B, *Gorg.* 450 B, 456 A, *Phaed.* 66 A, *Symp.* 179 A, 186 A, *Phil.* 14 D, *Leg.* 656 D, 678 C, 800 C, 821 B, *Epinom.* 987 A, *Ep.* 335 C, 343 C): also with *οὐδὲν* 6 § 1; after *οὐδείς* &c. in Plat. *Apol.* 22 D, *Hipp. maj.* 286 E, *Gorg.* 466 D, *Rep.* 496 C, *Soph.* 232 D, *Politic.* 294 B, *Leg.* 728 B, *Tim.* 22 A, *Ep.* 310 D; before *οὐδείς* in *Apol.* 17 A, *Phaed.* 78 E, 110 A, *Gorg.* 450 D, 501 A, 505 A, 517 B, *Protag.* 317 A, *Symp.* 215 D, *Parm.* 133 A, *Phil.* 17 C, *Leg.* 727 A, 732 A, 773 D, *Alc.* i 122 B, *Theag.* 128 B; and with interrogative *τίς*. So also with other broadly expressed statements e.g. Dem. 19 § 264 *γῆς καὶ θαλάττης ἦρχον ὡς ἔ. ε.* (Rehdantz, *index*[2], infinitiv 3). The above references to Plato are set forth in full by Grünenwald, *Infinitiv der Limitation*, p. 24. As exx. of the use of *ὡς ἔπος εἰπεῖν* in Plato to modify other words besides *πᾶς* and *οὐδείς*, he quotes *Hipp. maj.* 285 C, *Rep.* 551 B, *Soph.* 216 C, *Politic.* 264 C, *Leg.* 705 B, 736 D (in all which it is placed *after* the modified word); and *Protag.* 325 C, *Euthyd.* 272 B, *Phaed.* 80 D, *Symp.* 209 D, *Phil.* 55 E, *Soph.* 241 C, *Leg.* 656 E, 677 D, 678 A, 797 D, 804 E, 969 B, *Epinom.* 978 E, *Alc.* ii 144 D, *Tim.* 39 C (in all which it is placed *before* it).

In Thucydides *ὡς εἰπεῖν* is found with *πᾶς* in iii 82 § 1, vi 30 § 2, and vii 58 § 4;

φευκτέον, τοῦτο δὲ πάντων μάλιστ', ὦ ἄνδρες Ἀθηναῖοι. διὰ τί; ὅτι παντάπασι φύσεως[s] κακίας σημεῖόν ἐστιν ὁ φθόνος, καὶ οὐκ ἔχει πρόφασιν δι' ἣν ἂν τύχοι συγγνώμης ὁ τοῦτο πεπονθώς. εἶτα καὶ οὐδ' ἔστιν ὄνειδος, ὅτου πορρώτερόν[t] ἐσθ' ἡμῶν ἡ πόλις[u], ἢ τοῦ
141 φθονερὰ δοκεῖν εἶναι[v], πάντων ἀπέχουσα τῶν αἰσχρῶν. τεκμήρια δ' ἡλίκα τούτου θεωρήσατε. πρῶτον μὲν μόνοι τῶν πάντων ἀνθρώπων ἐπὶ ταῖς ταφαῖς ταῖς δημοσίαις ποιεῖτε[w] λόγους ἐπιταφίους, ἐν οἷς κοσμεῖτε τὰ τῶν ἀγαθῶν ἀνδρῶν ἔργα. καίτοι τοῦτ' ἔστιν 500
τοὐπιτήδευμα ζηλούντων ἀρετήν, οὐ τοῖς ἐπὶ ταύτῃ τιμωμένοις φθονούντων. εἶτα μεγίστας δίδοτ' ἐκ παντὸς τοῦ χρόνου δωρειὰς τοῖς τοὺς γυμνικοὺς νικῶσιν ἀγῶνας τοὺς στεφανίτας, καὶ οὐχ, ὅτι

[s] φύσεως S L vulg.; φύσει κακίας O, corr. Y, Lambini margo, schol. p. 519, 12, quod recepit Bl, collato ποιηρὸς φύσει 18 § 131, Kühner Synt. 372 sqq. [t] πορρώτερον S et (supra scripto ω) L^1 (v w Wr Bl): πορρωτέρω hiatu admisso vulg. (Z B D). Bekkeri Anecd. p. 111, l. c. Πορρώτερον καὶ πορρωτέρω. Δημοσθένης ἐν τῷ κατὰ Λεπτίνου. [u] ἡμῶν ἡ πόλις L et S^1 eadem manu correctus (v Bl): ἡ πόλις ἡμῶν vulg. [v] seclusit Wr. [w] ἐπὶ τοῖς τελευτήσασι δημοσίᾳ καὶ ταῖς ταφαῖς ταῖς δημοσίαις ποιεῖτε S L^1 O Y P; ἐπὶ τοῖς τελ. δημοσίᾳ τὰς (om. A, marg. S, γρ F) ταφὰς ποιεῖτε (ποιεῖσθε F, marg. S, γρ F) καὶ vulg. (v et omisso τὰς B). ἐπὶ τοῖς τελ. δημοσίᾳ ποιεῖτε G. H. Schaefer (Z D Wr). ἐπὶ τοῖς <ἐν πολέμῳ> τελ., in reliquis Schaeferum secutus, Cobet. ἐπὶ τοῖς <ὑπὲρ αὐτῆς> τελ. δημοσίᾳ ποιεῖτε Weil. ἐπὶ ταῖς ταφαῖς ταῖς δημοσίαις ποιεῖτε Blass. Aristid. i 310 τῶν μὲν ὑπὲρ τῆς πόλεως τελευτησάντων αὐτῶν μὲν ἐπαίνους ἐπὶ ταῖς ταφαῖς καθ' ἕκαστον ἔτος λέγειν, id. ii 703 τοὺς μὲν ἐν τῷ πολέμῳ τετελευτηκότας αὐτούς τε καθ' ἕκαστον ἐνιαυτὸν λόγοις ἐπιταφίοις τιμᾶν τούς τε παῖδας αὐτῶν δημοσίᾳ μάλιστα τρέφειν.

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but without it in iii 38 § 7 ζητοῦντες ἄλλο τι, ὡς εἰπεῖν, ἢ ἐν οἷς ζῶμεν, ib. 39 § 4 ὡς εἰπεῖν ῥᾴον, vi 72 § 3 ἰδιώτας ὡς εἰπεῖν χειροτέχνας and vii 67 § 2 χερσαῖοι ὡς εἰπεῖν. In the last two passages it bears an apologetic sense, differing from the general usage of ὡς ἔπος εἰπεῖν.

ὁ τοῦτο πεπονθώς] 'he who is under the influence of this feeling' i.e. envy, which is one of the πάθη (Ar. *Rhet.* ii 10).

§ 141. **ἐπὶ**] 18 § 285 τὸν ἐροῦντ' ἐπὶ τοῖς τετελευτηκόσι.

λόγους ἐπιταφίους] Funeral *orations*, delivered under public sanction (δημοσίᾳ), were characteristic of Athens alone in the ancient Greek world. The reading of the margin of the Paris MS introduces a further reference to funerals at the public expense: these, however, were not confined to Athens, but existed in other Greek states, as is shewn in Keil's *anal. epigr.* 39 ff. (quoted by Rosenberg).

The specimens of Athenian funeral orations now extant, are (1) that of Pericles as recorded in Thuc. ii 35—46; (2) that included in the *Menexenus* of Plato, (3) and (4) the compositions bearing the names of [illegible] (Or. 2) and Demosthenes (Or. 60), and lastly (5) the genuine oration by Hyperides. This addition to the ceremonial of the public funeral dated from the times immediately after the Persian wars (Diod. xi 33). There is an essay by Villemain, *Sur l'Oraison funèbre*, and a dissertation by Caffiaux, *De l'Oraison funèbre dans la Grèce paienne*, Valenciennes, 1861.

ζηλούντων...φθονούντων] Ar. *Rhet.* ii 11 ἔστι ζῆλος λύπη τις ἐπὶ φαινομένῃ παρουσίᾳ ἀγαθῶν ἐντίμων,...οὐχ ὅτι ἄλλῳ, ἀλλ' ὅτι οὐχὶ καὶ αὐτῷ ἐστι· διὸ καὶ ἐπιεικές ἐστιν ὁ ζῆλος, καὶ ἐπιεικῶν· τὸ δὲ φθονεῖν φαῦλον, καὶ φαύλων. Cf. Trench's *Synonyms* xxvi.

μεγίστας...δωρειὰς] distinctions such as σίτησις ἐν Πρυτανείῳ conferred on those who had been victorious in any of the panhellenic games, Plat. *Apol.* p. 37 D (Hermann, *Gottesd. Alt.* § 50, 30—). Aeschin. 3 § 178 δωρειαὶ καὶ στέφανοι καὶ κηρύγματα καὶ σιτήσεις ἐν πρυτανείῳ.

στεφανίτας] an epithet applied to those contests where the prize was a crown, as at the Olympian, Pythian, Nemean and Isthmian games. Aeschin. 3 § 179 ἐπασκεῖν εἰς τὰ Ὀλύμπια ἢ εἰς ἄλλον τινὰ τῶν

τῇ φύσει τούτων ὀλίγοις μέτεστιν, ἐφθονήσατε τοῖς ἔχουσιν, οὐδ' ἐλάττους ἐνείματε τὰς τιμὰς διὰ ταῦτα. πρὸς δὲ τούτοις τοιούτοις οὖσιν, οὐδεὶς πώποτε τὴν πόλιν ἡμῶν εὖ ποιῶν δοκεῖ νικῆσαι· τοσαύτας ὑπερβολὰς τῶν δωρειῶν, αἷς ἀντ' εὖ ποιεῖ, παρέσχηται. ἔστι τοίνυν πάντα ταῦτ', ὦ ἄνδρες Ἀθηναῖοι, δικαιο- 142
σύνης, ἀρετῆς, μεγαλοψυχίας ἐπιδείγματα. μὴ τοίνυν δι' ἃ πάλαι παρὰ πάντα τὸν χρόνον ἡ πόλις εὐδοξεῖ, ταῦτ' ἀνέλητε νῦν· μηδ' ἵνα Λεπτίνης ἰδίᾳ τισίν, οἷς ἀηδῶς ἔχει[x], ἐπηρεάσῃ, τῆς πόλεως ἀφέλησθε καὶ ὑμῶν αὐτῶν ἣν διὰ παντὸς ἀεὶ τοῦ χρόνου δόξαν κέκτησθε καλήν· μηδ' ὑπολαμβάνετ' εἶναι τὸν ἀγῶνα τόνδ' ὑπὲρ ἄλλου τινός, ἢ τοῦ τῆς πόλεως ἀξιώματος, πότερον αὐτὸ[y] δεῖ σῶν[z] εἶναι καὶ ὅμοιον τῷ προτέρῳ, ἢ μεθεστάναι καὶ λελυμάνθαι.

Πολλὰ δὲ θαυμάζων Λεπτίνου κατὰ τὸν νόμον, ἓν μάλιστα 143

[x] propter hiatum ἔσχεν conicit Bl. [y] αὐτὸ secludendum, aut πότερ' scribendum (Bl). [z] σῶον s et Vind. 1.

στεφανιτῶν ἀγώνων. Isocr. *Antid.* 301 τοὺς ἀθλητὰς τοὺς ἐν τοῖς στεφανίταις ἀγῶσι νικῶντας. Ar. *Rhet.* i 2 § 13 ὅτι στεφανίτης (ἀγὼν) τὰ Ὀλύμπια, οὐδὲ δεῖ προσθεῖναι· γιγνώσκουσι γὰρ πάντες. In Herodotus viii 26, Xerxes, hearing that in the Olympic games 'the prize was not money, but a wreath of olive', could not help exclaiming: 'Good heavens, Mardonius, what manner of men are these against whom thou hast brought us to fight? men who contend with one another not for money, but for honour'. The ἀγῶνες στεφανῖται are contrasted with ἀγῶνες θεματικοί, ἀργυρῖται, δωρῖται, in which the prize consisted of money.

τούτων, τῶν δωρειῶν. Weil prefers understanding from the sense of the previous context: τῶν νικῶν, or τῶν στεφάνων; and asks what meaning can, on the other supposition, be given to τοῖς ἔχουσιν. But there seems no real difficulty in understanding it to mean 'those who have (have received, and enjoy) these rewards'.

ὑπερβολὰς τῶν δωρειῶν = δωρειὰς ἐς τοσοῦτον ὑπερβαλλούσας (τὰς τῶν εὖ ποιησάντων εὐεργεσίας). 'Such munificence has she displayed in requiting services' (Kennedy); 'so far transcendent are the gifts which &c.' Weil quotes τῶν τιμῶν ταῖς ὑπερβολαῖς, in 23 § 198, to shew that the sense is not 'rewards more than equivalent to the benefits conferred on the state', but 'rewards of such surpassing munificence', as compared with rewards offered by other states (G. H. Schaefer). But the previous sentence is decisive against this view.

ἀντ' εὖ ποιεῖ, § 64.

§ 142. **ἀρετῆς**, 'high character'. **πάλαι**, contrasted with νῦν which is emphatically placed at the end of the sentence.

οἷς ἀηδῶς ἔχει] 137. This insinuation is refuted by Aristides ii p. 636 ff. ed. Dindorf (Weil).

καλήν, emphatic. **μηδ' ὑπολαμβάνετ'**, cf. 83.

σῶν] This is now generally regarded as the true Attic form for the common Greek σῶον. The acc. fem. σῶν is found in *Mid.* 177; the nom. pl. masc. σῷ in *Timocr.* 106; the neut. σᾶ in 51 § 10; the acc. σῶς in *de Pace* 17, *Chers.* 16, *F. L.* 75. 'In [Xen. *Anab.* III i 32] σῶος aut σῷος, ut multis aliis locis Atticorum, in σῶς corrigendum est, quae forma in iis scriptoribus, quorum sunt vetusti et boni codices, saepissime aetatem tulit, in ceteris ut quisque liber est recentior, ita rarius comparet' Cobet, *Nov. Lect.* p. 436. Cf. Wayte on *Timocr.* l. c. But the evidence of inscriptions shews that both forms were in use; σῶον in 428—6 B.C. (CIA i 36, 9) and σῶν about and before 403 B.C. (i 68, 6: ii 570, 14); Meisterhans, *Gr.*, 1888, p. 117.

λελυμάνθαι, 'to be ruined', here used as *passive*. The transitive sense is found in 9 § 36, and 21 § 173. In early Greek the present is always λυμαίνομαι. λυμαίνω does not occur before Hermas and Libanius (Veitch, *Gk. Vbs.*).

§ 143. **πολλὰ θαυμάζων** κ.τ.λ.] 'while

τεθαύμακα πάντων εἰ ἐκεῖν'[a] ἠγνόηκεν, ὅτι ὥσπερ ἂν εἴ τις μεγάλας τὰς[b] τιμωρίας τῶν ἀδικημάτων τάττοι, οὐκ ἂν αὐτός γ' ἀδικεῖν παρεσκευάσθαι δόξαι, οὕτως, ἐάν τις ἀναιρῇ τὰς τιμὰς τῶν εὐεργεσιῶν, οὐδὲν αὐτὸς ποιεῖν[c] ἀγαθὸν παρεσκευάσθαι δόξει. εἰ μὲν τοίνυν ἠγνόησε ταῦτα (γένοιτο γὰρ ἂν καὶ τοῦτο), αὐτίκα δηλώσει· συγχωρήσεται γὰρ ὑμῖν λῦσαι περὶ ὧν αὐτὸς ἥμαρτεν. εἰ δὲ 501
φανήσεται σπουδάζων καὶ διατεινόμενος κύριον ποιεῖν τὸν νόμον,
144 ἐγὼ μὲν οὐκ ἔχω πῶς ἐπαινέσω, ψέγειν δ' οὐ βούλομαι. μηδὲν οὖν φιλονίκει[d], Λεπτίνη, μηδὲ βιάζου τοιοῦτον δι' οὗ μήτ' αὐτὸς δόξεις βελτίων εἶναι μήθ' οἱ πεισθέντες σοι, ἄλλως τε καὶ γεγενημένου σοι τοῦ ἀγῶνος[e] ἀκινδύνου. διὰ γὰρ τὸ τελευτῆσαι Βάθιππον τὸν τουτουὶ πατέρ' Ἀψεφίωνος[f], ὃς αὐτὸν ἔτ' ὄνθ' ὑπεύθυνον ἐγράψατο, ἐξῆλθον οἱ χρόνοι, καὶ νυνὶ περὶ αὐτοῦ τοῦ νόμου πᾶς ἐσθ' ὁ λόγος, τούτῳ δ' οὐδείς ἐστιν κίνδυνος.

145 Καίτοι καὶ τοῦτ' ἀκούω σε λέγειν, ὡς ἄρα τρεῖς σέ τινες γραψάμενοι πρότεροι τοῦδ' οὐκ ἐπεξῆλθον. εἰ μὲν τοίνυν ἐγκαλῶν αὐτοῖς λέγεις ὅτι σ' οὐ κατέστησαν εἰς κίνδυνον, φιλοκινδυνότατος πάντων ἀνθρώπων εἶ[g]· εἰ δὲ τεκμήριον ποιῇ τοῦ τὰ δίκαι' εἰρηκέναι, λίαν εὔηθες ποιεῖς. τί γὰρ εἵνεκα[h] τούτου βελτίων ἔσθ' ὁ νόμος, εἴ τις ἢ τετελεύτηκεν τῶν γραψαμένων πρὶν εἰσελ-

[a] ἐκεῖν' (D W Bl), ἐκεῖνο Z B, κεῖν' V, 'κεῖν' Wr. [b] τὰς om. A (Bl). [c] ποιῆσαι vulg. (B 1824). [d] φιλονίκει (W Bl), cf. Cobet, *N. L.* 691 : -νείκει codd. [e] τἀγῶνος Bl. [f] Ἀψεφίωνος S L : Ἀφεψίωνος vulg. (Z B). [g] εἶ post ἀνθρώπων S L A O P (D V Wr Bl) : ante πάντων B (Z B W) tribus brevibus antecedentibus; vult secludere Bl. [h] ἕνεκα D.

there are many points in which I am astonished at L. as regards his law, there is one that has struck me with far more astonishment than any other, (I mean, the question,) whether &c.'.

εἰ...τάττοι, οὐκ ἄν...δόξαι,—ἐὰν ἀναιρῇ ...δόξει, two forms of conditional sentence are here set side by side, the former (ἄν c. opt.) expresses the result with less definiteness than the latter (fut.). The argument is ingenious, but it leaves out of sight the possibility of a citizen's doing good service to his country, solely from patriotic motives, without hope of immediate reward.

περὶ ὧν αὐτὸς ἥμαρτεν] A less common construction than περὶ ἃ which would involve a *hiatus* with αὐτός. West. quotes Xen. *Hell.* i 7 § 27 περὶ θανάτου ἀνθρώπου ἡμαρτηκότες.

πῶς ἐπαινέσω, aor. subj., not indic. fut. which would have been ἐπαινέσομαι (2 § 31; 19 § 45; 21 § 73; 58 § 58).—We expect the sentence to end with a severe remark; but here, as elsewhere, the orator treats L. with a studied, though apparently only superficial, politeness.

§ 144. **βιάζου**] 'thrust upon us', 'force upon us'.

διὰ γὰρ—κίνδυνος] *Introd.* § 5. **αὐτόν**, turning to the third person, from the second. **οἱ χρόνοι**, the time appointed by law, namely one year, 18 § 125.

§ 145. **τρεῖς...τινες**] here not vague but definite: certain persons, no less than three. 23 § 142 ἐν δὴ Λαμψάκῳ τινὲς ἄνθρωποι γίγνονται δύο.

τοῦδ'] Apsephion. **οὐκ ἐπεξῆλθον**, 'did not follow up the suit', 'dropped the case'.

εἰρηκέναι] not 'having said', but *publicly proposed*. Weil compares the common formula ὁ δεῖνα εἶπεν.

εὔηθες] § 6.

τετελεύτηκεν] viz. Bathippos. 'L'ac-

θεῖν, ἢ πεισθεὶς ὑπὸ σοῦ διεγράψατο, ἢ καὶ ὅλως ὑπὸ σοῦ παρεσκευάσθη; ἀλλὰ ταῦτα μὲν οὐδὲ λέγειν καλόν.

Ἕτεροι δὲ τῷ νόμῳ σύνδικοι καὶ μάλισθ' οἱ δεινοὶ λέγειν 146
ἄνδρες, Λεωδάμας Ἀχαρνεὺς καὶ Ἀριστοφῶν Ἀζηνιεὺς[1] καὶ Κηφισόδοτος ἐκ Κεραμέων καὶ Δεινίας Ἐρχιεύς[k]. ἃ δὴ πρὸς τούτους

[1] Ἀζηνιεὺς Stephanus Byz. et Polemon apud Suidam (V Bl): Ἀ. codd.
[k] Ἐρχιεὺς V Wr Bl, 'inscriptiones spiritum omittere solent, etiam in nomine Ερχιεύς... Semel tantum inveni HΕΡΧΙΕΙ Ol. 92, 3. CIG no. 147 [=CIA i 188, 7, B.C. 407]' (Voemel). Ἐ. S L al. vulgo.

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cusation tombait par le fait du décès de l'accusateur. Elle tombait aussi par le désistement de celui-ci; seulement, l'accusateur qui laissait ainsi tomber l'action intentée, s'exposait à une amende de mille drachmes. Il pouvait arriver aussi qu'il y eût collusion entre l'accusé et l'accusateur, pour faire acquitter l'accusé et lui permettre d'écarter, par l'exception de chose jugée, toute poursuite nouvelle à raison du même fait'. Dareste, note 43.

εἰσελθεῖν] *πρὸς ὑμᾶς* (146), or *εἰς τὸ δικαστήριον*.

πεισθεὶς] an insinuation of undue influence, not excluding bribery. **διεγράψατο**, 'gave up the cause', 'withdrew it'; Harpocr. *διαγράψασθαι...ἀντὶ τοῦ ἀνελέσθαι τὸ ἔγκλημα*, Lysias 17 § 5. **παρεσκευάσθη**, 'was suborned'.

§ 146. **σύνδικοι**] commissioners nominated by the people, to defend a law to which they had given a preliminary approval, *inf.* 152. As in the present case, the normal number was five. Cf. 24 § 23 *αἱρεῖσθαι δὲ καὶ τοὺς συναπολογησομένους τὸν δῆμον τοῖς νόμοις, οἳ ἂν ἐν τοῖς νομοθέταις λύωνται, πέντε ἄνδρας ἐξ Ἀθηναίων ἁπάντων*. (See Schöll, *über attische Gesetzgebung*, pp. 108—110.)

καὶ μάλισθ' οἱ]=*οἱ καὶ μάλιστα*, which would have involved a *hiatus* after *σύνδικοι*.

Λεωδάμας] said to have been a pupil of Isocrates (*vit. x orat.* 837 D); an earlier contemporary of Demosthenes and Aeschines. The latter describes him as having been sent as ambassador to Thebes and as *οὐχ ἧττον Δημοσθένους λέγειν δυνάμενος, ἀλλ' ἐμοιγε καὶ ἡδίων* (3 § 138).

Ἀριστοφῶν] of *Ἀζηνία*, near Sunium (Leake's *Demi* p. 61); Aeschin. 3 § 139, *πλεῖστον χρόνον τὴν τοῦ βοιωτιάζειν ὑπομείνας αἰτίαν*. He entered on public life on the fall of the Thirty; and, by the overthrow of Callistratus in 361, became the foremost man in Athens, until he was superseded by Eubulus in 354 (A. Schaefer, *Dem.* i 131², 138² ff.; Curtius *H. G.* v 102, 131 Ward). At the time when he was appointed to defend the law of Leptines, he was nearly 80 years of age. In the following year he was the leader in the accusation brought against Iphicrates and the other generals who had served in the Social War. The point of his well-known boast, that he had been prosecuted by *γραφὴ παρανόμων* on seventy-five occasions and had invariably been acquitted (Aesch. 3 § 194), is aptly explained by Mr Wayte, Introd. to *Androt.* p. xxxv. 'He neither gloried in breaking the law with impunity, nor denounced the prosecutions as uniformly frivolous and vexatious; his meaning is that he had always been on the winning side in politics'. (See also his note on *Timocr.* § 11.)

Κηφισόδοτος] He was one of the envoys who negociated peace with Sparta in 371 (Xen. *Hell.* vi 3 §§ 7—10). A. Schaefer, *Dem.* i 87², 147² and Appendix V. Between 370 and 360 B.C., he was also the proposer of a decree in honour of Straton, king of Sidon (Hicks, *Manual*, no. 87). It is consistent with his present position as one of the supporters of the law abolishing *ἀτέλεια*, that the proposal to grant *ἀτέλεια* on that occasion is not made by himself but by another who moves it as a rider to the original decree.

ἐκ Κεραμέων] of the deme of *Κεραμεικός*. 'The Ceramenses seem to have been the only demus who employed the form *ἐκ Κεραμέων* for men as well as women:—in order probably to avoid the ambiguity of *κεραμεύς*=potter'. Leake's *Demi*, p. 180.

Δεινίας] of *Ἐρχεία* (the deme of Isocrates). He is stated to have made a gift to the people, out of friendship for Lycurgus (*vit. x orat.* 841 A, Meier *Vit. Lyc.* p. xxvi). His son Deinon appears as a trierarch in 323 (CIA ii 811ᵃ 115,

καὶ μάλ' ἔχων νόμος ὑμῖν καλῶς, οὐκ ἐπὶ τούτοις τεθείς, ἀλλ' ἵνα μὴ τὸ πρᾶγμ' ὥσπερ ἐργασία τισὶν ᾖ καὶ συκοφαντία, μὴ ἐξεῖναι
153 χειροτονηθέν θ' ὑπὸ τοῦ δήμου πλεῖν[v] ἢ ἅπαξ συνδικῆσαι. τοὺς δὴ[x] συνεροῦντας νόμῳ καὶ διδάξοντας ὑμᾶς ὡς ἐπιτήδειός ἐστιν, αὐτοὺς[y] τοῖς ὑπάρχουσι νόμοις δεῖ πειθομένους φαίνεσθαι· εἰ δὲ μή, γελοῖον νόμῳ μὲν συνδικεῖν, νόμον δ' αὐτοὺς παραβαίνειν ἕτερον[z]. ἀνάγνωθι λαβὼν τὸν νόμον αὐτοῖς, ὃν λέγω.

ΝΟΜΟΣ.

Οὗτος, ὦ ἄνδρες Ἀθηναῖοι, καὶ παλαιὸς ἐσθ' ὁ νόμος καὶ καλῶς ἔχων, ὃν ἐὰν σωφρονῶσι φυλάξονται παραβαίνειν οὗτοι.
154 Ἐγὼ δ' ἔτι μικρὰ πρὸς ὑμᾶς εἰπὼν καταβήσομαι. ἔστιν γάρ, ὦ ἄνδρες Ἀθηναῖοι, πάντας μὲν τοὺς νόμους ὑμῖν, ὡς ἐγὼ νομίζω, σπουδαστέον ὡς κάλλιστ' ἔχειν, μάλιστα δὲ τούτους δι' ὧν ἡ 504
μικρὰν ἢ μεγάλην ἔστ' εἶναι τὴν πόλιν. εἰσὶ δ' οὗτοι τίνες; οἵ τε τοῖς ἀγαθόν τι ποιοῦσι τὰς τιμὰς διδόντες, καὶ οἱ τοῖς τἀναντία πράττουσι τὰς τιμωρίας. εἰ γὰρ ἅπαντες ὡς ἀληθῶς τὰς ἐν τοῖς

[v] πλεῖν S L al. (Z B V): πλεῖν (de suo D W Wr Bl). [x] δὴ S O Y: δὲ L (B).
[y] αὐτοὺς, quod statim iteratur, ante τοῖς ὑπάρχουσι secludit Blass, coll. schol. 524, 2 τοὺς συνεροῦντας νόμῳ πείθεσθαι καλὸν τοῖς ὑπάρχουσι. [z] ἕτερον delere vult Bl.

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pointed not only in defence of laws (24 §§ 23, 36) but also in other branches of public business, as in state prosecutions (Hermann, *Staatsalt.* § 133, 1) and in matters connected with the treasury (ib. § 151, 4).

ἐπὶ τούτοις] honourable statesmen like the syndics in the present case, as contrasted with *συκοφάνται*. For the use of *ἐπί*, cf. *νόμον ἐπ' ἀνδρί* (contrasted with *ἐφ' ἅπασιν Ἀθηναίοις*) *θεῖναι*, 23 § 86; 46 § 12.

ἐργασία...συκοφαντία] 'trade and job' (Kennedy), or 'cabal', 23 § 67.

μὴ ἐξεῖναι—συνδικῆσαι] The ancient law enacting 'that no one, elected by the people, serve as syndic more than once', seems to have become obsolete, owing to the many occasions on which syndics were required, and to the small number of persons competent to discharge the duty (Westermann; Hermann, *Staatsalt.* § 133, 12).

§ 154. **καταβήσομαι**] shall step down (from the *βῆμα*). Similarly near the end of Or. 8 § 76; 23 § 215; and elsewhere. *βῆμα* is expressed in *F. L.* 113, *καταβαίνων ἀπὸ τοῦ βήματος*.

ἔστιν γὰρ—εἶναι πονηρόν] The whole of this passage closely resembles one in the *Timocrates*, 24 § 215 *χρὴ μὲν οὖν πᾶσιν ὀργίλως ἔχειν, ὅσοι τιθέασι νόμους αἰσχροὺς καὶ πονηρούς, μάλιστα δὲ τούτοις οἳ τοὺς τοιούτους τῶν νόμων διαφθείρουσι, δι' ὧν ἔστιν ἡ μικρὰν ἢ μεγάλην εἶναι τὴν πόλιν. εἰσὶ δ' οὗτοι τίνες; οἵ τε τοὺς ἀδικοῦντας τιμωρούμενοι καὶ ὅσοι τοῖς ἐπιεικέσι τιμάς τινας διδόασιν. εἰ γὰρ ἅπαντες προθυμηθεῖεν ποιεῖν ἀγαθόν τι τὸ κοινόν, τὰς τιμὰς καὶ τὰς δωρειὰς τὰς ὑπὲρ τούτων ζηλώσαντες, καὶ πάντες ἀποσταῖεν τοῦ κακουργεῖν [ἢ κακόν τι πράττειν], τὰς βλάβας καὶ τὰς ζημίας τὰς ἐπὶ τούτοις κειμένας φοβηθέντες, ἔσθ' ὅ τι κωλύει τὴν πόλιν μεγίστην εἶναι;*

ἔστ' εἶναι] 132. In 24 § 215 the words are separated.

τὰς τιμὰς...τὰς τιμωρίας] the rewards or punishments, *which are their due.*

τὰς ἐν τοῖς νόμοις ζημίας] Of the two previous clauses, the second is resumed first; and [illegible] second (9 § 61). In the par[illegible]e, where the first pair of cla[illegible]ed, a corresponding inver[illegible] in the second place also (

νόμοις ζημίας φοβούμενοι τοῦ κακόν τι ποιεῖν ἀποσταῖεν, καὶ πάντες τὰς ἐπὶ ταῖς εὐεργεσίαις δωρειὰς ζηλώσαντες ἃ χρὴ πράττειν προέλοιντο, τί κωλύει μεγίστην εἶναι τὴν πόλιν καὶ πάντας χρηστοὺς καὶ μηδέν' εἶναι πονηρόν ;

Ὁ τοίνυν νόμος οὗτος ὁ Λεπτίνου, οὐ μόνον, ὦ ἄνδρες Ἀθηναῖοι, 155
τοῦτ' ἀδικεῖ, ὅτι τὰς τιμὰς ἀναιρῶν τῶν εὐεργεσιῶν ἀχρεῖον τὴν ἐπιείκειαν τοῖς φιλοτιμεῖσθαι βουλομένοις καθίστησιν, ἀλλ' ὅτι καὶ παρανοίας[a] δόξαν αἰσχίστην τῇ πόλει καταλείπει. ἴστε γὰρ δήπου τοῦθ' ὅτι τῶν τὰ δεινόταθ'[b] ὑμᾶς ἀδικούντων ἓν ἑκάστῳ τίμημ' ὑπάρχει διὰ τὸν νόμον, ὃς διαρρήδην λέγει "μηδὲ[c] τίμημ' "ὑπάρχειν ἐπὶ κρίσει πλέον ἢ ἕν, ὁπότερον ἂν τὸ δικαστήριον "τιμήσῃ, παθεῖν ἢ ἀποτεῖσαι[d]· ἀμφότερα δὲ μὴ ἐξέστω." ἀλλ' οὐχ 156
οὗτος ἐχρήσατο τούτῳ τῷ μέτρῳ, ἀλλ' ἐάν τις ἀπαιτήσῃ χάριν ὑμᾶς, "ἄτιμος ἔστω" φησὶν "καὶ ἡ οὐσία δημοσία ἔστω." δύο

[a] *παρανοίας* codd. (Benseler, V Wr Bl) : *παρανομίας* Lambini margo (Reiske, F. A. Wolf, Z B D W). [b] *τὰ δεινόταθ'* secl. Bl, coll. Aristides ix 382 Walz, schol. 525, 6, et Or. 27 § 65. [c] *μηδὲ ὡς χρὴ* codd. : *μηδὲ* F. A. Wolf (edd.). [d] *ἀποτῖσαι* codd. : *ἀποτεῖσαι* W Bl inscriptionum auctoritatem secuti; cf. Meisterhans, *Gram.*, p. 144, 1888.

κακόν τι ποιεῖν] hence probably the interpolation in 24 § 216.

§ 155. **τοῦτ'**] 'in this point'. **παρανοίας.** Westermann holds that the orator's objection is not to the illegality (*παρανομίας*) but to the perversity (*παρανοίας*) of Leptines' policy, as is proved (he considers) by the subsequent clause.

τίμημ'] 'penalty', whether 'assessed' by the lawgiver or by the court. Here the latter alone is meant, as is clear from the context.

μηδὲ] quoted from the law; similarly we have *δὲ* at the beginning of quotations in 9 § 27 and Aesch. 3 § 74 (West.).

παθεῖν] of personal penalties such as death, exile, imprisonment; **ἀποτεῖσαι**, of fines.

§ 156. **ἀλλ' οὐχ—τιμήματα ταῦτα**] The orator's criticism is most unfair. One of the forms of *ἀτιμία* included confiscation of property, and the phrase in the text defines the particular degree of *ἀτιμία* and does not add a second penalty. The penalty of *ἀτιμία*, accompanied by confiscation, was inflicted on public debtors. CIA i 31, 32 *ἄτιμον εἶναι αὐτὸν...καὶ τὰ χρήματα δημόσια εἶναι*, ii 17, 55. Cf. Andoc. *de Myst.* § 73, [Dem.] *Nicostr.* § 27. Besides, the law against double penalties, as above quoted, only affects penalties *assessed by a court*, and not those fixed by a law.

For a fresh offence, Leptines provides fresh penalties, but he does not intend the various penalties to be cumulative. It is clear, says Westermann, that L. did not intend this legal process to be put in force, immediately and in any case whatsoever, against one who asked for the privilege of *ἀτέλεια*, but only against one who having had the penalty of *ἀτιμία*, and its consequences, inflicted on him, nevertheless acted in defiance of that first penalty and thus incurred a second. Demosthenes misrepresents the penalty of a special form of *ἀτιμία* as a 'double penalty'; and also, with equal unfairness, describes the penalty for contempt of the judgment passed upon the claimant as a *third* penalty. The scholiast aptly remarks *σοφίζεται, τὸ ἓν τρία ποιῶν*.

'Toute cette argumentation de Démosthène repose sur un sophisme. La loi ne veut qu'un seul *τίμημα*, c'est-à-dire une seule peine évaluée par le juge, en vertu de son pouvoir discrétionnaire: mais il n'interdit pas de prononcer, en outre, et avec la peine ainsi évaluée, une autre peine non sujette à évaluation. Il y a de nombreux exemples de décrets prononçant cumulativement pour un seul et même fait l'atimie et la confiscation. Autre sophisme: La peine attachée à l'orateur qui parle, quoique frappé d'atimie, n'est qu'une conséquence éloignée de la loi, et ne peut pas

τιμήματα ταῦτα. "εἶναι δὲ καὶ ἐνδείξεις καὶ ἀπαγωγάς· ἐὰν "δ' ἀλῷ, ἔνοχος ἔστω τῷ νόμῳ ὃς κεῖται, ἐάν τις ὀφείλων ἄρχῃ "τῷ δημοσίῳ." θάνατον λέγει· τοῦτο γάρ ἐστ' ἐπ' ἐκείνῳ τοὐπιτίμιον. οὐκοῦν τρία τιμήματα ταῦτα. πῶς οὖν οὐ σχέτλιον καὶ δεινόν, ὦ ἄνδρες Ἀθηναῖοι, εἰ χαλεπώτερον εἶναι παρ' ὑμῖν δόξει χάριν εὖ ποιήσαντ' ἀπαιτεῖν, ἢ τὰ δεινότατ' ἐργαζόμενον ληφ- 505
θῆναι;

157 Αἰσχρός, ὦ ἄνδρες Ἀθηναῖοι, καὶ κακῶς ἔχων ὁ νόμος, καὶ ὅμοιος φθόνῳ τινὶ καὶ φιλονικίᾳ[dd] καὶ—τὸ λοιπὸν ἐῶ· τοιούτοις δέ τισιν προσέοιχ' ὁ γράφων χρῆσθαι. ὑμῖν δ' οὐχὶ πρέπει τὰ τοιαῦτα μιμεῖσθαι, οὐδ' ἀνάξια φαίνεσθαι φρονοῦντας ὑμῶν αὐτῶν. φέρε γὰρ πρὸς Διός, τί μάλιστ' ἂν ἀπευξαίμεθα πάντες, καὶ τί μάλιστ' ἐν ἅπασι διεσπούδασται τοῖς νόμοις; ὅπως μὴ γενήσονθ' οἱ περὶ ἀλλήλους φόνοι, περὶ ὧν ἐξαίρετος ἡ βουλὴ φύλαξ ἡ 'ν
158 Ἀρείῳ πάγῳ τέτακται. ἐν τοίνυν τοῖς περὶ τούτων νόμοις ὁ Δράκων φοβερὸν κατασκευάζων καὶ δεινὸν τό τιν' αὐτόχειρ' ἄλλον

[dd] φιλονικίᾳ (W Bl): -νεικίᾳ codd. Cf. § 144.

être considérée comme se cumulant avec les autres peines, puisqu'elle réprime une infraction distincte'. Dareste, note 52.

ἐνδείξεις] 'informations' laid against persons after they had assumed some office, or some privilege to which they were not entitled (Meier and Schömann, p. 286[2]). Such 'informations' were often directed against persons who were *ἄτιμοι*. Lex apud *Timocr.* 22 *ἔνδειξις αὐτῶν ἔστω πρὸς τοὺς θεσμοθέτας, καθάπερ ἐάν τις ἄρχῃ ὀφείλων τῷ δημοσίῳ.*

ἀπαγωγάς] summary arrests, *flagrante delicto* (Meier and Schömann, p. 273[2]).

ἐάν τις—δημοσίῳ] 'if anyone presume to hold office, while he is a debtor to the state'. For the position of *ἄρχῃ* separating *ὀφείλων* from its object, Westermann compares 159 *ἄν τις ἀμύνων τι πάθῃ τῇ δημοκρατίᾳ*. The *hiatus*, avoided in these passages, is admitted in the law quoted above.

§ 157. **ὅμοιος—φιλονικίᾳ**] 'having an air of envy and jealousy'.

καὶ—τὸ λοιπὸν ἐῶ] The orator pauses for a severer word than either *φθόνος* or *φιλονικία*, but spares his opponent any graver imputation. We have a similar *ἀποσιώπησις* in 9 § 54 *εἰς τοῦτ' ἀφῖχθε μωρίας ἢ παρανοίας ἢ—οὐκ ἔχω τί λέγω.*

φέρε] § 26.

οἱ περὶ ἀλλήλους φόνοι] It has been suggested that this phrase is a quotation from the law of Dracon, corresponding to the words quoted below, *αὐτόχειρ' ἄλλον ἄλλου γίγνεσθαι*. The article denotes a special class of homicides, the premeditated murders which came under the jurisdiction of the Areopagus. Weil aptly quotes Aeschylus, *Agam.* 1575 *μανίας...ἀλληλοφόνους*.

ἡ βουλὴ...ἡ 'ν Ἀρείῳ πάγῳ] This is the full title of the court of the Areopagus. The form in good Greek is always *Ἄρειος πάγος* not *Ἀρειόπαγος* (Cobet, *N. L.* p. 394). On this court, see 23 §§ 65—69.

φύλαξ] the position of this word, separated both from *ἐξαίρετος* and from *τέτακται*, before either of which it might have been placed, is probably due to the desire of avoiding *hiatus*. In 23 § 67 *ταύτην τὴν φυλακὴν* is similarly applied to the Areopagus, cf. Aeschyl. *Eum.* 685 *φρούρημα γῆς*.

§ 158. **Δράκων**] Of all the laws of Dracon (B.C. 620), it was only those relating to homicide that were incorporated in the code of Solon (archon B.C. 594). Plut. *Solon* 17. Meier and Schömann, pp. 17—22[2].

In the Revision of the Laws in 409 B.C. Dracon's laws were duly incorporated in accordance with a decree which is still preserved (CIA i 61; Hicks, 59; Dittenberger, p. 87).

ἄλλου γίγνεσθαι, καὶ γράφων χέρνιβος° εἴργεσθαι τὸν ἀνδροφόνον, σπονδῶν κρατήρων ἱερῶν ἀγορᾶς, πάντα τἄλλα διελθὼν οἷς μάλιστ' ἄν τιν' ᾠ̈ετ' ἐπισχεῖν τοῦ τοιοῦτόν τι ποιεῖν, ὅμως οὐκ ἀφείλετο τὴν τοῦ δικαίου τάξιν, ἀλλ' ἔθηκεν ἐφ' οἷς ἐξεῖναι ἀποκτιννύναι, κἂν οὕτω τις δράσῃ καθαρὸν διώρισεν εἶναι. εἶτ' ἀποκτεῖναι μὲν δικαίως ἔν γε τοῖς παρ' ὑμῖν νόμοις ἐξέσται, χάριν δ' ἀπαιτεῖν οὔτε δικαίως οὔθ' ὁπωσοῦν διὰ τὸν τούτου νόμον; μηδαμῶς, ὦ ἄνδρες Ἀθηναῖοι· μὴ βούλεσθε δοκεῖν πλείω πε- 159
ποιῆσθαι σπουδήν, ὅπως μηδενὶ τῶν εὖ τι ποιούντων ὑμᾶς χάριν ἐξέσται κομίσασθαι, ἢ ὅπως μηδεὶς φόνος ἐν τῇ πόλει γενήσεται· ἀλλὰ μνησθέντες τῶν καιρῶν, παρ' οὓς εὖ πεπονθότες εὖ πε-

° χέρνιβος S L O Y et schol. 525, 20: χερνίβων (B 1824 et D), quod fortasse etiam Libanium iv 893, 15 legisse indicat Blass. Sophoclis in *Oed. Tyr.* 240 'lectionem elegantiorem' χέρνιβος codex unus tantum tuetur; ceteri omnes χέρνιβας habent.

χέρνιβος—ἀγορᾶς] probably the actual words of the law. Cf. Soph. *O. T.* 236 *τὸν ἄνδρ' ἀπαυδῶ τοῦτον, ὅστις ἐστί, γῆς τῆσδ', ἧς ἐγὼ κράτη τε καὶ θρόνους νέμω, μήτ' εἰσδέχεσθαι μήτε προσφωνεῖν τινα, μήτ' ἐν θεῶν εὐχαῖσι μήτε θύμασιν κοινὸν ποιεῖσθαι, μήτε χέρνιβος νέμειν, ὠθεῖν δ' ἀπ' οἴκων πάντας, ὡς μιάσματος τοῦδ' ἡμῖν ὄντος.*

χέρνιβος] the holy water used to wash the hands before beginning any sacred rite. 'When sacrifice was offered by the members of a household (Aesch. *Ag.* 1037) or of a class (*Eum.* 656), a brand was taken from the altar was dipped in water, and with the water thus consecrated (*χέρνιψ*) the company and the altar were sprinkled'. Jebb on Soph. *l. c.*, where it is shewn that this law of Dracon was a 'sentence of excommunication (1) from the life of the family and the clan, (2) from the worship common to all Hellenes'.

σπονδῶν, κρατήρων] 'the libations and bowls of wine', which formed part of the sacred rites themselves. *F. L.* 280 (of Harmodius and Aristogeiton) *ἐν ἅπασι τοῖς ἱεροῖς ἐπὶ ταῖς θυσίαις σπονδῶν καὶ κρατήρων κοινωνούς.* But, while *there* both the terms refer to the same thing and have possibly a religious signification alone, it is only *σπονδῶν* that *here* has that meaning, while *κρατήρων* mainly refers to the wine-bowl that circulates round the festal board in private life. Aeschylus, *Choeph.* 291 *καὶ τοῖς τοιούτοις οὔτε κρατῆρος μέρος εἶναι μετασχεῖν, οὐ φιλοσπόνδου λιβός, βωμῶν τ' ἀπείργειν οὐχ ὁρωμένην πατρὸς μῆνιν· δέχεσθαι δ' οὔτε συλλύειν τινά* (Weil). For the general sense cf. *Androt.* § 2 (of one charged with having killed his father) *τίς γὰρ ἂν ἢ φίλος ἢ ξένος εἰς ταὐτό ποτ' ἐλθεῖν ἠθέλησεν ἐμοί;*

ἱερῶν] as the centres of religious worship; **ἀγορᾶς**, as the centre of public life. Similarly in another part of the law of Dracon, 'if anyone kill or cause the death of a homicide', he is kept aloof *ἀγορᾶς ἐφορίας καὶ ἄθλων καὶ ἱερῶν ἀμφικτυονικῶν* (23 § 38). Cf. 24 § 60 *οἱ μὴ καθαρὰς τὰς χεῖρας ἔχοντες, εἰσιόντες δ' εἰς τὴν ἀγοράν, ἀδικοῦσιν.*

τὴν τοῦ δικαίου τάξιν] 'the rule of justice' (Kennedy). '*Locum vel condicionem iusti* non detraxit, h. e. non praeteriit tacitum, quatenus ius et fas esset hominem occidi' Reiske's index. 14 § 35 *ἡγοῦμαι τοίνυν ἐγὼ ταύτην τὴν τάξιν τοῦ δικαίου καὶ τοὺς μετ' αὐτῆς ὄντας κρείττους τῶν προδοτῶν κ.τ.λ.* 18 § 173 *τὴν τῆς εὐνοίας τάξιν ἐν τοῖς δεινοῖς οὐκ ἔλιπον.*

ἐφ' οἷς ἐξεῖναι] infin. in oblique narration, as in 23 § 53 *λέγοντος ἐφ' οἷς ἐξεῖναι κτεῖναι* (*ἀποκτιννύναι*, 74), and § 60; 36 § 25; and 38 § 5. Goodwin's *M* and *T*, § 756, ed. 1889.

The cases in which homicide was justified by the law are mentioned in 23 § 53.

καθαρὸν] 9 § 44 *καθαρὸν τὸν τούτων τινὰ ἀποκτείναντα εἶναι*, 19 § 66; 23 § 55; 37 § 59. **ἐξέσται**, exceptionally followed by *ἐν*.

§ 159. **τι**] placed between *εὖ* and *ποιούντων* instead of either before or after. A *hiatus* is thus avoided.

ποιήκατε τοὺς εὑρομένους, καὶ τῆς Δημοφάντου στήλης, περὶ ἧς εἶπε Φορμίων, ἐν ᾗ γέγραπται καὶ ὀμώμοται[f], ἄν τις ἀμύνων τι πάθῃ τῇ δημοκρατίᾳ, τὰς αὐτὰς δώσειν δωρειὰς ἅσπερ Ἁρμοδίῳ 506
καὶ Ἀριστογείτονι, καταψηφίσασθε τοῦ νόμου. οὐ γὰρ ἔστ' εὐορκεῖν, εἰ μὴ τοῦτο ποιήσετε.

160 Παρὰ πάντα δὲ ταῦτ' ἐκεῖνο ἔτι ἀκούσατέ μου. οὐκ ἔνι τοῦτον ἔχειν καλῶς τὸν νόμον, ὃς περὶ τῶν παρεληλυθότων καὶ τῶν μελλόντων ταὐτὰ λέγει. "μηδέν' εἶναί" φησ' "ἀτελῆ πλὴν τῶν "ἀφ' Ἁρμοδίου καὶ Ἀριστογείτονος". καλῶς. "μηδὲ τὸ λοιπὸν "ἐξεῖναι δοῦναι". μηδ' ἂν τοιοῦτοί τινες γένωνται, Λεπτίνη; εἰ τὰ
161 πρὸ τοῦ κατεμέμφου, τί; μὴ καὶ τὰ μέλλονθ' ἥδεις; ὅτι νὴ Δία πόρρω τοῦ τι τοιοῦτ' ἐλπίζειν νῦν[g] ἐσμέν. καὶ εἴημέν γ', ὦ ἄνδρες Ἀθηναῖοι. ἀλλὰ χρή γ' ἀνθρώπους ὄντας τοιαῦτα καὶ λέγειν καὶ

[f] ὀμώμοται S L (edd.), cf. Voemelii proleg. gram. § 86: ὀμώμοσται vulgo. [g] νῦν cum schol. p. 524, 20; 527, 2, 16; 528, 21 om. Bl.

εὑρομένους] τὴν χάριν.

τῆς Δημοφάντου στήλης] the tablet inscribed with the decree moved by Demophantus after the fall of the Four-hundred in 411. It is mentioned by Lycurgus § 127 (who places it after the time of the Thirty in 404) διομωμόκατε ἐν τῷ ψηφίσματι τῷ Δημοφάντου κτείνειν τὸν τὴν πατρίδα προδιδόντα καὶ λόγῳ καὶ ἔργῳ καὶ χειρὶ καὶ ψήφῳ (ed. Rehdantz, appendix, p. 184 f.). The terms of the oath, to which allusion is made in the text, are preserved in Andocides, *de mysteriis*, 1 § 96 ἐὰν δέ τις κτείνων τινα τούτων ἀποθάνῃ ἢ ἐπιχειρῶν, εὖ ποιήσω αὐτόν τε καὶ τοὺς παῖδας τοὺς ἐκείνου καθάπερ Ἁρμοδιόν τε καὶ Ἀριστογείτονα καὶ τοὺς ἀπογόνους αὐτῶν. Curtius, *H. G.* iii 462 Ward.

Φορμίων] who delivered the previous speech on the same side.

ὀμώμοται] It is only the best MSS which have here retained the primitive form, while the rest have ὀμώμοσται. Cf. Rutherford's *New Phrynichus*, p. 97, and Wayte on *Androt.* § 4.

τι πάθῃ] for the position of these words, cf. that of ἄρχῃ in 156.

§ 160. 'In loco non sane facili haec fere viros doctos latuerunt: (1) Non transiri ad novum argumentum, sed cumulum imponi iis quae dixerat p. 503, 27 etc. de *utili:* nos, *upon this part of the question I wish to add a general remark.* (2) Eadem repeti quae supra p. 471, 20. dicta sunt. (3) Argumentum sumi non ab istis πλὴν τῶν ἀφ', etc. sed a tota clausula ἀτελῆ δὲ, etc. ut p. 466, 9. 465, 18. Quod autem dicunt, *legem debere esse eandem in omnes*, huc non pertinet. Illud verum est in poenis statuendis: hic quaeritur quid expediat, non quid sit justum. Equidem puto sanum esse locum, et fere cum Tayloro intelligo: *This law is bad, because it makes a sweeping enactment, and prohibits for the future as well as abolishes the past. Even in the past you admit one exception: may not a similar case occur? Do not look with scorn upon the past,* (i.e. upon the difficulties of the state which reduced us to those expedients) *unless you can take on yourself to say, the same difficulties may not return.* καταμέμφεσθαι est fere φαῦλον ἡγεῖσθαι. Omnino confer Timocr. p. 724, 8. et 761, 5. 737, 1—7'. Dobree's *Adversaria*, p. 115 ed. Wagner.

ἔνι] 98. **ταὐτὰ λέγει**, 'uses the same language' respecting the past (about which we know) and about the future (which is uncertain).

μηδ'—γένωνται] 'not even if men should arise, like Harmodius and Aristogeiton?'

κατεμέμφου] 'you were disparaging, depreciating, setting little store by, the past' (when you were drafting your law).

μὴ, interrog., 'surely you did not know the future; did you?' Krüger, p. 1024.

§ 161. **ὅτι—ἐσμέν**] Leptines is represented as giving his reason for forbidding any such grants for the future: 'oh! because we are now far from expecting anything of the kind', i.e. that the services of men like the tyrannicides will ever be

νομοθετεῖν, οἷς μηδεὶς ἂν νεμεσήσαι, καὶ τἀγαθὰ μὲν προσδοκᾶν καὶ τοῖς θεοῖς εὔχεσθαι διδόναι, πάντα δ' ἀνθρώπιν' ἡγεῖσθαι. οὐδὲ γὰρ ἂν Λακεδαιμόνιοί ποτ' ἤλπισαν εἰς τοιαῦτα πράγματ' ἀφίξεσθαι, οὐδέ γ' ἴσως Συρακόσιοι, τὸ πάλαι δημοκρατούμενοι καὶ φόρους Καρχηδονίους πραττόμενοι, καὶ πάντων τῶν περὶ αὑτοὺς ἄρχοντες καὶ ναυμαχίᾳ νενικηκότες ἡμᾶς, ὑφ' ἑνὸς γραμματέως, [ὃς ὑπηρέτης ἦν][h] ὥς φασι, τυραννήσεσθαι. οὐδέ γ' ὁ 162 *νῦν ὢν Διονύσιος ἤλπισεν ἄν ποτ' ἴσως πλοίῳ στρογγύλῳ καὶ στρατιώταις ὀλίγοις Δίων' ἐλθόντ' ἐφ' αὑτὸν ἐκβαλεῖν τὸν τριήρεις πολλὰς καὶ ξένους καὶ πόλεις κεκτημένον. ἀλλ' οἶμαι τὸ μέλλον*

[h] *ὃς ὑπηρέτης ἦν* codd. (Benseler et v): del. Reiske (z B D Wr), etiam *ὥς φασιν* del. F. A. Wolf (z). *ὃς ὑπηρέτης ἦν*, addito vel *ἀρχαῖς τισιν* vel *σφίσιν*, Weil. Posterius Blassio multo magis placet; dedit ipse *ὃς ὑπηρέτει σφίσιν*.

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wanted again. **ἐλπίζειν**, as *infra* and in 1 § 14; 19 § 240; 23 §§ 58, 106. So *ἐλπίς* in 1 § 14.

νεμεσήσαι] 'our law should be such as not to shock religious sentiment', Kennedy; who has an instructive note in the course of which he refers to Herod. i 34, iii 40; Eur. *Alc.* 1135 *φθόνος θεῶν*, *Or.* 974, *Suppl.* 348, *Iph. A.* 1097, *El.* 902; Aesch. *Ag.* 919; Soph. *Phil.* 776. He also observes that 'the deity, whose peculiar province it was to chastise vainglorious mortals, to check overweening arrogance, to inspire feelings of humility and moderation, reverence for law, justice, and propriety, was *Nemesis*, a goddess worshipped with peculiar veneration by the Athenians', and described by Pausanias i 33 as *θεῶν μάλιστα ἀνθρώποις ὑβρισταῖς ἀπαραίτητος*. Cf. Ar. *Rhet.* ii 9.

ἀνθρώπινα] 'deem all things as held by *human tenure*'.

Λακεδαιμόνιοι] The Spartan supremacy, after lasting from 403, was brought to an end by the battle of Leuctra in 371.

πάλαι] the Gelonian dynasty had been brought to an end by the expulsion of Thrasybulus, brother of Gelon and Hieron in 466. The democracy thus founded continued till 406, when the rule of Dionysius I began.

φόρους Καρχηδονίους] The Carthaginians were defeated by Gelon at Himera in 480, but there is no evidence of their paying tribute. **πραττόμενοι**, Thuc. viii 5 and 37 *φόρους πράσσεσθαι ἀπὸ* (or *ἐκ*) *τῶν πόλεων*. Here with double acc., as in 29 § 2 *ἐπεπράγμην τοῦτον τὴν δίκην*. 59 § 19 *ἵν' ὡς μεγίστους μισθοὺς πράττοιτο τοὺς βουλομένους κ.τ.λ.* Aesch. 2 § 100 *λύτρα πραξάμενον* (*τινά*).

ναυμαχίᾳ] the battle in the great harbour, 413 B.C., described in Thuc. vii ad fin.

γραμματέως] Diod. xiii 96 *ἐκ γραμματέως καὶ τοῦ τυχόντος ἀνθρώπου τῆς μεγίστης πόλεως τῶν Ἑλληνίδων ἐγενήθη τύραννος*. Polyaen. v 2 § 2 *Συρακουσίοις ὑπηρετῶν καὶ γραμματεύων τοῖς στρατηγοῖς*. The position of a paid clerk to the public magistrates was regarded with singular contempt at Athens, Lysias 20 § 27 f. Demosthenes is unsparing in his abuse of Aeschines for filling this useful office, 18 § 127 *ὄλεθρος γραμματεύς*, and 19 § 95 *πανοῦργος οὗτος καὶ θεοῖς ἐχθρὸς καὶ γραμματεύς*.

ὃς ὑπηρέτης ἦν] 18 § 261 *γραμματεύειν καὶ ὑπηρετεῖν τοῖς ἀρχιδίοις*.

§ 162. **ὁ νῦν ὢν Διονύσιος**] expelled in 356 by Dion (Diodorus xvi 6, and Plut. *Dion* 25, Nepos, *Dion* 5). Dion died in 353, and Dionysius II was restored, to be finally expelled by Timoleon in 343. Plut. *Timoleon* 13.

πλοίῳ στρογγύλῳ] 'merchant-vessel', contrasted with *τριήρεις*, 'vessels of war'. Diodorus xvi 9 describes Dion as *δυσὶ φορτηγοῖς ναυσὶν ἀναχθείς*.

τὸ μέλλον ἄδηλον *κ.τ.λ.*] 15 § 21 *ἄδηλον τὸ μέλλον ἅπασιν ἀνθρώποις*. 23 § 42 *μὴ προδήλου τῆς ἐπιούσης τύχης οὔσης ἑκάστῳ*. Eur. *Alc.* 785 *τὸ τῆς τύχης γὰρ ἀφανὲς οἳ προβήσεται*. Plut. *Sol.* 27 *ἔπεισι γὰρ ἑκάστῳ ποικίλον ἐξ ἀδήλου τὸ μέλλον* (West.). Thuc. iv 62 *τὸ δὲ ἀστάθμητον τοῦ μέλλοντος ἐπὶ πλεῖστον κρατεῖ*.

ἄδηλον πᾶσιν ἀνθρώποις, καὶ μικροὶ καιροὶ μεγάλων πραγμάτων αἴτιοι γίγνονται. διὸ δεῖ μετριάζειν ἐν ταῖς εὐπραξίαις καὶ προορωμένους τὸ μέλλον φαίνεσθαι.

163 Πολλὰ δ' ἄν τις ἔχοι λέγειν ἔτι καὶ διεξιέναι περὶ τοῦ 507
μηδαμῇ[i] μηδὲ καθ' ἓν τοῦτον ἔχειν καλῶς τὸν νόμον μηδὲ συμφέρειν ὑμῖν· ἀλλ' ἵν' ἐν κεφαλαίῳ τοῦτο μάθητε κἀγὼ παύσωμαι λέγων, τάδε ποιήσατε· σκέψασθε παρ' ἄλληλα καὶ λογίσασθε πρὸς ὑμᾶς αὐτούς, τί[j] συμβήσεται καταψηφισαμένοις[k] ὑμῖν τοῦ νόμου καὶ τί μή· εἶτα φυλάττετε καὶ μέμνησθε, ἂν[l] ὑμῖν ἐξ
164 ἑκατέρου φανῇ, ἵν' ἔλησθε τὰ κρείττω. ἂν μὲν τοίνυν καταψηφίσησθ', ὥσπερ ἡμεῖς κελεύομεν, οἱ μὲν ἄξιοι παρ' ὑμῶν[m] τὰ δίκαι' ἕξουσιν, εἰ δέ τις ἔστ' ἀνάξιος, ὡς ἔστω, πρὸς τῷ τὴν δωρειὰν ἀφαιρεθῆναι δίκην ἣν ἂν ὑμῖν δοκῇ δώσει κατὰ τὸν παρεισενηνεγμένον νόμον· ἡ δὲ πόλις πιστή, δικαία, πρὸς ἅπαντας[n] ἀψευδὴς φανήσεται. ἐὰν δ' ἀποψηφίσησθ', ὃ μὴ ποιήσαιτε[o], οἱ μὲν χρηστοὶ διὰ τοὺς φαύλους ἀδικήσονται, οἱ δ' ἀνάξιοι συμφορᾶς ἑτέροις αἴτιοι γενήσονται, δίκην δ' οὐδ' ἡντινοῦν αὐτοὶ δώσουσιν, ἡ δὲ πόλις τἀναντί' ὧν εἶπον ἀρτίως δόξει, ἄπιστος, φθονερά,
165 φαύλη παρὰ πᾶσιν εἶναι. οὔκουν ἄξιον, ὦ ἄνδρες Ἀθηναῖοι, τοσαύτην βλασφημίαν ἀντὶ καλῶν καὶ προσηκόντων ὑμῖν ἀγαθῶν ἐλέσθαι. καὶ γὰρ ἕκαστος ὑμῶν ἰδίᾳ μεθέξει τῆς δόξης τῶν κοινῇ γνωσθέντων. οὐ γὰρ ἀγνοεῖ τοῦτ' οὐδεὶς οὔτε τῶν περιεστηκότων οὔτε τῶν ἄλλων, ὅτι ἐν μὲν τῷ δικαστηρίῳ Λεπτίνης πρὸς ἡμᾶς ἀγωνίζεται, ἐν δὲ τῇ τῶν καθημένων ὑμῶν ἑνὸς ἑκάστου

[i] μηδαμῇ D. [j] τί τε F (Bl). [k] καταψηφισαμένοις S L vulg.: κατεψηφισμένοις F (Bl). [l] ἃ ἄν L (Z B D W). [m] παρ' ὑμῶν (ἡμῶν), ante τὰ δίκαια in S L O Y P, post τὰ δίκαια vulgo positum, seclusit Bl. [n] ἅπαντας vulg. (as in L supra scriptum) B D V W Wr, quod verbis παρὰ πᾶσιν de personis infra positis defenditur: ἅπαντα S L[1] O Y P (Z Bl). Cf. § 25. [o] ποιήσαιτε S[1] et schol. 529, 11 ἀπεύχεται γενέσθαι τὸ φαῦλον (Z B Bl): ποιήσητε corr. S (D V W Wr).

μικροὶ—γίγνονται] Livy xxvii 9 'ex parvis saepe magnarum momenta rerum pendent'.

μετριάζειν] apparently not used elsewhere by any Greek orator. Plato, *Leg.* 784 E, has περὶ τὰ τοιαῦτα μ., and *Rep.* 603 E πρὸς λύπην μ.

§ 163. διεξιέναι] 'to recount at length'.

τί] (συμβήσεται) μὴ (καταψηφισαμένοις).

φυλάττετε καὶ μέμνησθε] 36 § 61; *inf.* 167. 23 § 215 ἃ νομίζω μνημονεύοντας ἄμεινον φυλάττειν, ἂν παράγειν καὶ φενακίζειν οὗτοι ζητῶσιν ὑμᾶς, and 218 ταῦτα φυλάττετε καὶ μεμνημένοι κάθησθε.

ἵν' ἔλησθε τὰ κρείττω] an allusion to the text of the law quoted at the end of § 89 (Markland).

§ 164. ὡς ἔστω] 14. παρεισενηνεγμένον, 97 ff.

§ 165. τῶν περιεστηκότων] contrasted with τῶν καθημένων (the judges, as in 21 § 18). 18 § 196 τοὺς περιεστηκότας ἔξωθεν καὶ ἀκροωμένους, Aesch. 3 § 56 τῶν ἄλλων πολιτῶν ὅσοι δὴ ἔξωθεν περιεστᾶσι κ.τ.λ. Dem. 54 § 41. Cicero, *pro Flacco*, § 69 'a iudicibus oratio avertitur: vox in coronam turbamque effunditur'.

γνώμῃ, φιλανθρωπία πρὸς φθόνον καὶ δικαιοσύνη πρὸς κακίαν καὶ πάντα τὰ χρηστὰ πρὸς τὰ πονηρότατ'[p] ἀντιτάττεται. ὧν 166
508 τοῖς βελτίοσι πειθόμενοι καὶ κατὰ ταὐθ' ἡμῖν[q] θέμενοι τὴν ψῆφον, αὐτοί θ' ἃ προσήκει δόξετ' ἐγνωκέναι, καὶ τῇ πόλει τὰ κράτιστ' ἔσεσθ' ἐψηφισμένοι, κἄν τις ἄρ' ἔλθῃ ποτὲ καιρός, οὐκ ἀπορήσετε τῶν ἐθελησόντων ὑπὲρ ὑμῶν κινδυνεύειν. ὑπὲρ οὖν τούτων ἁπάντων οἶμαι δεῖν ὑμᾶς σπουδάζειν καὶ προσέχειν τὸν νοῦν ὅπως μὴ βιασθῆθ' ἁμαρτάνειν[r]. πολλὰ γὰρ ὑμεῖς, ὦ ἄνδρες Ἀθηναῖοι, πολλάκις οὐκ ἐδιδάχθητ' ὡς <οὐκ> ἔστι[s] δίκαια, ἀλλ' ἀφῃρέθητ' ὑπὸ τῆς τῶν λεγόντων κραυγῆς καὶ βίας καὶ ἀναισχυντίας. ὃ μὴ 167
πάθητε νῦν· οὐ γὰρ ἄξιον. ἀλλ' ἃ δίκαι' ἐγνώκατε, ταῦτα φυλάξατε[t] καὶ μνημονεύεθ', ἕως ἂν ψηφίσησθε, ἵν' εὔορκον θῆσθε τὴν ψῆφον κατὰ τῶν τὰ πονηρὰ συμβουλευόντων. θαυμάζω δ' ἔγωγε, εἰ τοῖς μὲν τὸ νόμισμα διαφθείρουσιν θάνατος παρ' ὑμῖν

[p] πονηρὰ L O, 'cum Wolfio bene revocavit Bekker' (Schaefer). [q] ταὐτὰ ἡμῖν Z B D. [r] ἁμαρτάνειν S L O Y P: ἁμαρτεῖν (B 1824 et Bl cum schol.). [s] <οὐκ> ἔστι Weil (Bl). [t] φυλάξατε S: φυλάττετε L F (B et Weil coll. 163).

φιλανθρωπία (human kindness)—**ἀντιτάττεται**] Cic. *Catil.* 2 § 25 'ex hac parte pudor pugnat, illinc petulantia...: denique aequitas, temperantia, fortitudo, prudentia, virtutes omnes, certant cum iniquitate, cum luxuria, cum ignavia, cum temeritate, cum vitiis omnibus...'. But the resemblance between the two passages (as observed by Weil) is more apparent than real.

§ 166. **πολλὰ ἀναισχυντίας**] 'Many a time you have not been instructed as to the justice of the cause, but have had your verdict *extorted* from you by the clamour and violence and shamelessness of your orators'. Weil doubts whether there is any other instance of this use of ἀφαιρεῖσθαι and prefers to insert a negative before ἔστι δίκαια: 'they have not convinced you of the injustice of that which you approve, but have forced you to renounce it (i.e. your own judgment) in spite of your conviction'. He considers this as confirmed by the antithesis in the context: ἃ δίκαι' ἐγνώκατε, ταῦτα φυλάξατε, and quotes 19 § 331 ταῦτ' οὖν μαρτύρων, ταῦτ' ἐλέγχων τινῶν ἔτι δεῖται μειζόνων; ταῦτ' ἀφαιρήσεταί τις ὑμῶν; and *Halon.* 7 § 3 τοῦτον δὲ τὸν λόγον, ὡς οὐκ ἔστι δίκαιος, οὐ χαλεπόν ἐστιν αὐτοῦ ἀφελέσθαι.

§ 167. **ὃ μὴ πάθητε νῦν**] 'Do not suffer yourselves to be so treated *now*'. § 50.

φυλάξατε καὶ μνημονεύετε] *observate semel animum advertentes et perpetuo memoria tenete.* § 87 σκοπεῖτε καὶ λογίσασθε.

θαυμάζω ... **εἰ** .. **μὲν** ... **δὲ**] The two clauses are coordinated by μέν and δέ, but in English it is more convenient to introduce it with *while*. Cf. §§ 12, 149.

The sense of the passage closely resembles what is expressed at greater length in a speech composed about the same time, *Timocr.* 24 § 212 βούλομαι τοίνυν ὑμῖν κἀκεῖνο διηγήσασθαι, ὃ φασί ποτ' εἰπεῖν Σόλωνα κατηγοροῦντα νόμον τινὸς οὐκ ἐπιτήδειον θέντος. λέγεται γὰρ τοῖς δικασταῖς αὐτὸν εἰπεῖν, ἐπειδὴ τἄλλα κατηγόρησεν, ὅτι νόμος ἐστὶν ἁπάσαις ὡς ἔπος εἰπεῖν ταῖς πόλεσιν, ἐάν τις τὸ νόμισμα διαφθείρῃ, θάνατον τὴν ζημίαν εἶναι. ἐπερωτήσας δ' εἰ δίκαιος αὐτοῖς καὶ καλῶς ἔχων ὁ νόμος φαίνεται, ἐπειδὴ φῆσαι τοὺς δικαστάς, εἰπεῖν ὅτι αὐτὸς ἠγεῖται ἀργύριον μὲν νόμισμ' εἶναι τῶν ἰδίων συναλλαγμάτων εἵνεκα τοῖς ἰδιώταις εὑρημένον, τοὺς δὲ νόμους ἡγοῖτο νόμισμα τῆς πόλεως εἶναι. δεῖν δὴ τοὺς δικαστὰς πολλῷ μᾶλλον, εἴ τις, ὃ τῆς πόλεώς ἐστι νόμισμα, τοῦτο διαφθείρει καὶ παράσημον εἰσφέρει, μισεῖν καὶ κολάζειν, ἢ εἴ τις ἐκεῖν' ὃ τῶν ἰδιωτῶν ἐστίν.

θάνατος—ἡ ζημία] 'This was true until recently of modern civilised States: and sometimes with aggravations of the death penalty unknown to the sensitive

ἐστιν[a] *ἡ ζημία, τοῖς δ' ὅλην τὴν πόλιν κίβδηλον καὶ ἄπιστον ποιοῦσιν λόγον δώσετε. οὐ δή που γ', ὦ Ζεῦ καὶ θεοί.*

Οὐκ οἶδ' ὅ τι δεῖ πλείω λέγειν· οἶμαι γὰρ ὑμᾶς οὐδὲν ἀγνοεῖν τῶν εἰρημένων.

[a] secl. Bl. coll. Aristid. ii 620 *θάνατος ἡ ζημία κεῖται.*

Athenians'. (Wayte on *Timocr.* l. c.) After the changes introduced by Solon, the Athenian money was 'the best in Greece and much in request throughout the Hellenic world, Xen. de Vect. 3 § 2'.

κίβδηλον] the metaphor is obviously suggested by *νόμισμα* in the context.

λόγον δώσετε] of 'giving a hearing', 'granting leave to make a speech', 2 § 29 *δόντες λόγον*. Malefactors who confessed their guilt might be punished without being heard:—24 § 65 *ὥσπερ τοίνυν τῶν περὶ τἄλλα κακούργων τοὺς ὁμολογοῦντας ἄνευ κρίσεως κολάζειν οἱ νόμοι κελεύουσιν, οὕτω δίκαιον καὶ τούτου, ἐπειδὴ τοὺς νόμους κακουργῶν εἵληπται, μὴ δόντας λόγον μηδ' ἐθελήσαντας ἀκοῦσαι καταψηφίσασθαι· ὡμολόγηκε γὰρ θατέρῳ τῷ προτέρῳ νόμῳ ἐναντίον τόνδε τιθεὶς ἀδικεῖν.*

οὐ δή που γ'] sc. *λόγον δώσετε.* **ὦ Ζεῦ καὶ θεοί**, 18 § 385; 23 § 186; 36 § 31; 43 § 68 (Rehdantz, *index* 2, Schwurformeln). *Introd.* p. xxxvii.

οὐκ οἶδ' ὅ τι] Not: 'I do not know *that* &c.' (*ὅτι*, preferred by Markland and F. A. Wolf); nor, 'I do not know *what* more to say' (which would be wrong, even if *πλέον* followed); but, 'I know not *why* I should say any more'.

οὐκ—εἰρημένων] The same short sentence forms the conclusion of several speeches: *pro Phormione* (36), *contra Nausimachum* (38), *contra Cononem* (54); also the seventh and eighth speeches of Isaeus.

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The Arabic numerals denote the *sections* of the Speech; the Roman, the *pages* of the Introduction. n refers to the explanatory, *n. c.* to the critical, notes.

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